

# National Municipal Review

February 1958

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# National Municipal Review

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## News of the League

# New Awards Offered in Urban Field

Awards for significant contributions useful in solving improvement and development problems of urban and metropolitan areas will be made annually under a program co-sponsored by the National Municipal League and the Fruin-Colnon Contracting Company of St. Louis.

This program was announced January 18 at the annual employees-stockholders dinner of the company at the Chase Hotel in St. Louis.

Representing the League at the dinner, Richard S. Childs, chairman of the executive committee, termed the awards program "practical and constructive" and called attention to some of the difficulties of urban areas resulting from population growth and spread.

Financed by the Fruin-Colnon Company and administered by the League, the awards will be based on action programs, research, or publications, or a combination of these elements. Awards to individuals will range up to \$2,000 in cash and suitable plaques or scrolls to organizations or individuals. Choices will be made by a panel of ten judges, nine appointed by the League and one by the company.

The judges will consider work and events within a period of July 1, 1957, to June 30, 1958, for the first Fruin-Colnon Awards. Recipients will be announced at the League's annual dinner next September 16 at the National Con-

ference on Government in Colorado Springs and the awards will be presented at the annual awards dinner of the Fruin-Colnon Company in St. Louis in January 1959.

## All-America Winners Schedule Celebrations

Ten All-America Cities of 1957 have scheduled award presentation ceremonies in January and February. Omaha, Nebraska, planning "the biggest civic event in its history," will hold festivities early in March. League officers and members are slated to present award certificates at these events. The schedule and the persons representing the National Municipal League are as follows:

Albuquerque, New Mexico, February 4, Mrs. John G. Lee, president, U. S. League of Women Voters;

Clarksburg, West Virginia, January 25, L. E. Marlowe, NML regional vice president, Richmond, Va.;

Galesburg, Illinois, January 30, Council Member Earl Kribben, Chicago;

Ketchikan, Alaska, January 21, Council Member Harold S. Shefelman, Seattle;

Miami-Dade County, Florida, February 7, Council Chairman George Gallup; Middletown, Ohio, February 6;

Neosho, Missouri, January 26, Regional Vice President John B. Gage, Kansas City, Missouri;

Omaha, Nebraska, March 4, Council

(Continued on page 100)

Richard S. Childs, chairman of the League's executive committee, speaking at Fruin-Colnon banquet in St. Louis.



# Morgan Speaks at Conference City

Plans for the 64th annual National Conference on Government in Colorado Springs were stimulated when President Cecil Morgan of the National Municipal League addressed the annual banquet of the Colorado Springs Charter Association on January 13.

Speaking on "The Challenge of Citizenship," Mr. Morgan praised the city's natural beauty and its "tradition of superior government."

Noting that the tremendous growth due to the location there of the Air Force Academy and other factors "inevitably places a strain on the citizens and on government institutions," Mr. Morgan counselled a continuance of "strong civic leadership and a rallying organization."

Inspecting the Antlers Hotel, which stands in full view of famous Pikes Peak, Mr. Morgan pronounced its facilities excellent as headquarters for the National Conference which will be held there next September 14 to 17. He was particularly pleased with the impressive room reserved for the All-America Cities hearings, one of the most popular sessions.

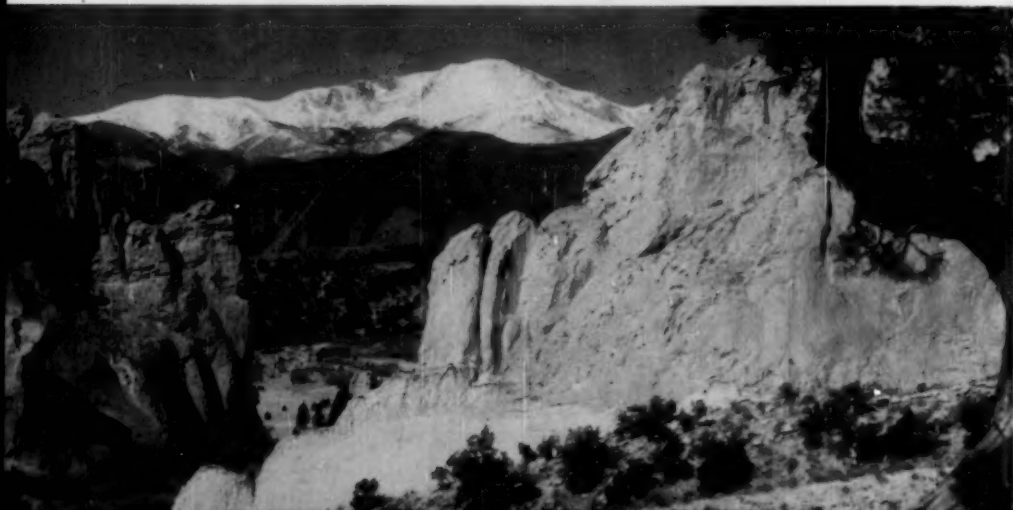
Mr. Morgan expressed the hope that many Conference-goers will "come early and stay late" in order to enjoy the scenic wonders and recreation facilities of the area and make the trip a part of their vacation plans.

Mr. Morgan conferred with A. Earl Bryson, chairman of local Conference arrangements and with others concerning plans. Mr. Bryson, a member of the League's Council, also is chairman of the Charter Association.

Reminding association members that the next Conference will be the first held in the Rocky Mountain area in the League's 64 years, Mr. Morgan said, "The Conference is the only one which provides the opportunity for citizens, public officials, political scientists, government researchers and public employees to get together and talk over government problems and programs of mutual concern."

Troy Westmeyer, NML senior associate, spoke recently before the Men's Club of the North Stamford Congregational Church on "The Church and Good Government."

Lofty Pikes Peak, as seen through the Garden of the Gods, within which Conference-goers will be entertained next September in Colorado Springs.





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## Editorial Comment

### Mockery

**T**HE voters of the state of Washington adopted a constitutional amendment in 1952 permitting the state legislature to amend subsequently adopted initiative actions by the voters.

This appeared to be insurance against some emotionally inspired ill-advised action such as, for example, an economically impossible plan to give everyone over 60 \$30 every Thursday. It could hardly have been intended as a complete abdication of the people's power to set the basic rules within which the legislature and other arms of the government must operate.

Yet, this is the way the Washington legislature has chosen to interpret and use this grant of power.

Like a great many other state legislatures, the one in Washington has largely ignored the mandate to reapportion legislative districts on the basis of population changes. Thus, the grossly unfair advantage held by thinly-populated areas was maintained and, as urban areas grew, became steadily worse.

The State League of Women Voters formulated an apparently fair and sound redistricting proposal and won its overwhelming adoption as "Initiative 199" in the November 1956 election.

The lawmakers, by the required two-thirds of all members of each house, apparently having had no qualms about the propriety of their doing so, substantially amended Initiative 199. Besides, the voters' memories being what they are,

199 probably placed more political futures at stake than did the act of mutilation.

Now the Washington State Supreme Court, by a five-to-four decision, has upheld the right of the legislature to overrule an initiative passed by a majority of the state's voters. The dissenting opinion remarked that any initiative "has now been relegated to a position less than an advisory opinion of the people."

The fact that there may have been technical flaws in the reapportionment plan voted by the people and the fact that under the legislature's "amendment" some districts will contain as many as 75,000 residents while others will have as few as 25,000, are merely incidental to the vital fact that a system of self-government cannot tolerate such arrogance on the part of elected representatives.

This puts them in the remarkable position of drafting their own rules of the game as they go along rather than abiding by those laid down by the supposedly sovereign people.

Expressions of outrage and indignation that might naturally be expected seem largely confined to the League of Women Voters, which is probably what the legislators counted on. Newspapers take the attitude that some satisfaction can be found in the fact that, without the League's great campaign, the legislature would have continued to shirk its constitutional obligations indefinitely. There was little expression of shock over the fact that, under the legislature's substitute, some per-

sons' votes are only one-third as effective as those of others.

This all adds up to just one more indication of why our state legislatures are accorded so little respect and why more states ought to follow

the example of Nebraska by using the one-house legislature. There obviously is more responsibility and more opportunity for public scrutiny when there are fewer legislators all in a single house.

## Not One Strong Man

**F**ORTUNE Magazine, reviewing municipal government in the nation's 23 largest cities in its November issue, takes a dim view of council-manager government for a big city. Then *Fortune* knocks down its own conclusion by awarding to Cincinnati, Ohio, a council-manager city as is Dallas, the title "best-run city in the United States."

*Fortune* looks with favor on the "strong mayor" governments of the larger cities and rates Milwaukee, Philadelphia, San Francisco, New York, Pittsburgh, Baltimore and Detroit after Cincinnati as "best-run" cities. Dallas isn't rated in the *Fortune* article, but gets high marks for "good municipal housekeeping," in provision of municipal services, especially good police protection.

What *Fortune* calls a "significant flaw" in council-manager government for a big city is what has recommended it to Dallas and has

kept good clean government at city hall for 25 years. The flaw as *Fortune* sees it is that council-manager government "has failed to produce a political leadership on which responsibility for the city government could be pinned." The big cities, *Fortune* says, "require an elected chief executive to serve as the center of a political leadership and responsibility."

Sponsored by the Citizens Charter Association, which is composed of the city's business and professional leaders plus a wide cross-section of citizens who want good government, the council-manager system has provided Dallas with efficient, honest and economical government over the years, and the lowest taxes of any of the large cities. In Dallas it is the citizenry that has the political responsibility and not one strong man who might be either good or bad.

Reprinted from *Dallas News*

# You Can't Print That

Editor believes public's business should be conducted "in goldfish bowl"; condemns censorship in city hall.

By OXIE REICHLER\*

**T**HE vigor — and sometimes vehemence — with which many public officials advance and advocate varied forms of censorship always astonishes me anew.

This should not be so, for I have had nearly 40 years of experience with elected and appointed officials at various levels of government — local, state and national — and I have had opportunity to learn well how eager too many of them are to screen their work from the taxpayers who hire them.

There are notable exceptions, of course. A short time ago I learned from a Harrisburg (Pennsylvania) newspaperman what a record of open-dealing had been carried forward for years by a former official in my home town of Yonkers. That official is former Pennsylvania State Health Commissioner Berwyn F. Mattison, who recently left that post to be executive secretary of the American Public Health Association. It seems that early in his career he discovered the pleasant combination of duty and opportunity to keep the public fully informed, and he pursued

the matter in a way to be idolized both by press and people.

At the National Conference on Government in Cleveland, where one of the panel discussions approached the problem of censorship in municipal government under the title, "You Can't Print That! — Censorship in City Hall," I recognized with some dismay that the "keep it covered up" campaign is still in full swing. Even some of the more enlightened public officials find far too many reasons for not telling the people what they are legally and common-sensibly entitled to know.

I believe public business should be transacted in a goldfish bowl. I believe city hall doors should swing open easily and stay open. City hall doors should never slam shut — particularly in a citizen's face. I believe that records of all public transactions should be open and accessible to interested citizens, particularly to the press.

I am distressed because the goldfish bowl concept does not have many city hall rooters. I find that many government officials — some of the highest calibre — do slam doors. They invoke gag rule, conduct public business in private. In other words, they spend too much time and energy in drawing curtains closed — iron curtains, paper curtains, sometimes even black lace curtains. All this is done to circumvent the right of the people to know.

\* Mr. Reichler, formerly with the *Utica Daily Press* and the *Utica Observer-Dispatch*, and former deputy public safety commissioner of Utica, has been editor of the *Yonkers Herald Statesman* since 1938. Well known as a crusader for better city government, his paper is noted for its coverage of public affairs. This article is based on Mr. Reichler's remarks at the National Conference on Government of the National Municipal League, Cleveland, November 19, 1957.

Where it is not feasible to draw a curtain suddenly or brazenly, other devices are handily applied. Hordes of press agents are hired — at public expense, of course — to pull the wool over the public's eyes, to provide the people with official half-truths and distorted pictures, to mislead and misrepresent, to confuse, to scatter pepper into too-curious eyes.

Too many officials have a morbid fear of disclosing the details of the work entrusted to them. Too many such officials — once bedded into office — decide it is healthier for themselves if their employers — the citizens and taxpayers — are kept ignorant of what's happening. To this extent we have the equivalent of dictatorship and totalitarianism in our home towns.

#### Citizens Apathetic

This could be bad enough, were it not for two additional situations:

First, an amazing apathy on the part of many citizens, who seem not to care at all about their right to know about their government. Some of these take the gravely mistaken view that freedom of information is something that is remote from their lives, something that newspapers make a fuss about in the hope it will sell papers.

Second, I must confess I am also unhappy over the substantial number of daily and weekly newspapers that refuse to be bothered about gaining access to more reservoirs of information. Some of these don't seem inclined to tap the information that is already available to them — they find it comfortable (or economical) not to pipe into their columns,

and thus into the minds of readers, interesting and well written news about local, state and national governments.

From the halls of government issues the warning cry, "You can't print that!" It is by no means new. For as long as newspapers have been published, one official or another has sought to conceal information from the public.

It was in 1732 — more than 40 years before the American Revolution — that John Peter Zenger, in my own Westchester County, was being told "You can't print that!" by Governor Cosby, whose shenanigans he was reporting. Away back then "You can't print that" was already old stuff.

Every newspaperman or woman has run into the would-be censor almost anywhere he has moved in government. Sometimes the attempt to censor is made to cover up mistakes or scandal — sometimes to prevent exposure of wicked intentions, sometimes to keep a party and its hangers-on in power, sometimes only to sweep a mildly embarrassing wisp of news under a rug.

I remember tilting personally with a health official who insisted it would be "too alarming" to publish that our city water supply had become contaminated. I recall a struggle with an important finance official, who kept insisting hotly that readers were far too dumb to understand exactly what happened when, under his cash-basis reserve plan, a million dollars in spot cash money somehow turned into a bookkeeping figure that couldn't be spent.

Then there was a city executive

who was aghast at our efforts to report his budget-making conference with department heads. "Why," he almost screamed, "that would be like conducting the public business on the front steps of city hall!" He wasn't sympathetic when I retorted, "Isn't that where it belongs?"

This press agency in government is a bane of newspapers — except any lazy ones who may prefer handouts. Scores of press agents are now working inside the state government at Albany (New York), sometimes under titles which make them difficult to spot. Hundreds more of such press agents are in the federal government service.

Great factories of mimeograph machines grind out many thousands of handouts — the present-day popular substitute for news. Each handout is framed primarily not to inform the public but to serve the welfare of an official or his department or their policies.

Each handout is a nail in the coffin for freedom of information. This is particularly true when reporters are barred from going behind the handout, from questioning the responsible official, or even checking the quotations attributed to him, or their intent.

When a reporter can't ask, "What does this mean?" and "What happens next?" the citizens and taxpayers are being bilked by their hirelings, swindled out of information they sorely need if the people are to govern intelligently.

I have no objection to the employment of persons in government to help provide information in a form to clarify and to expedite communi-

cation to the people. I object vigorously to having such persons in the public employ who "leak" information to test reaction, who release half-truths and otherwise mislead, and who act as barriers to questioning of responsible persons. The distinction between those who issue facts and those who mislead is important to recognize.

#### Campaign Goes On

I know that the campaign to open channels of information is going on apace. Some very distinguished work is being done by the American Society of Newspaper Editors and by various other groups of editors and publishers, including the American Newspaper Publishers Association.

Substantial aid is being given by state societies of editors, by editor groups of the AP and UP, by the National Editorial Writers' Conference and by Sigma Delta Chi, the journalism fraternity.

This campaign must go on for years and generations. If the fight lets up even for a while, the situation would worsen rapidly.

Right now the newspapers in New York State are fighting a staggering and unprecedented gag rule that is already on our statute books. Because of battling by the press, its effective date has been put off till April 1.

It is a youth court act, which provides that any man or woman even one day under the age of 21 is a youth, a child to be protected with all the kid-glove social welfare cuddling and coddling now given boys and girls under sixteen.

The person involved may have



served on the battlefield. He may be the head of a family. He may have a police record a mile long — a dozen rapes — yet this new law cloaks him as a child. He is not to be arrested, only "apprehended." No mark is to go against him on any police record. All records are to be kept under lock and key. We stand to suppress the news of up to 75 per cent of our crime under this statute.

#### Seek Legislative Aid

In the Empire State right now we are asking the 1958 legislature to clarify the right of a reporter to look at the police blotter. That's the first and most important way to tell readers what's cooking in the crime kitchen.

Every once in a while a police chief decides it's not good for the people to know what crime is rampant in the community. On such occasions, the local paper must fight hard to keep this vital channel open.

As a result of one recent upstate battle on this subject, our state attorney general has handed down an opinion in which he urges police officials to cooperate with the press — but he also spells out a very good case for the official who prefers to put the police blotter under lock and key.

We are hoping the legislature makes it clear that crime news belongs to the people. We are also asking for a statute throwing open all public records, something New York State still lacks.

We know that freedom of information pays off. We know it was freedom of information that has solved

the problem of decent government in hundreds of municipalities, including my own.

I know that in my own home town millions of dollars have been saved because blocked news channels were dynamited and the people thereby got information they couldn't get before. However, it is hard to convince our readers that the public's right to know is the very foundation of self-government, and that freedom without knowledge is no freedom at all.

The pity is that — while the public is cool, aloof, indifferent about this special part of our liberties — this precious freedom of information is in gravest danger. Every competent editor knows this and discusses it, fights for information frequently.

Every editor knows that this press freedom solves no problem by itself. It merely gives the right and the opportunity to tackle any existing situations courageously, and in a way to help get at the essential facts. Like an unused muscle, an unused freedom shrivels and dies.

The press is being challenged not only to use its freedom of information but to convince readers — somehow — that it is their freedom that is at stake, that it is their rights that are being nibbled at, chained and hobbled, kicked and battered and torn — their freedom, not that of newspapers or other communications media.

Our readers must come to realize and recognize — to believe, to accept — that ignorance is the enemy, that truth is the friend — truth even when it hurts, particularly when it hurts.

# Building Code Needed

If your town's is non-existent or obsolete in period of rapid growth you invite disaster or deterioration.

By STUART CHASE\*

A PUBLIC hearing was called in our town the other night to discuss how this community of 3,500 in rural Connecticut is likely to grow and change and what voters can do about it. We discussed schools, subdivisions, light industry, the town dump, and whether new construction should be registered in advance.

A builder standing in the back said firmly that he was in favor of registration. "The way this town is growing," he went on, "we're going to need some kind of simple building code badly in a few years. There are too many leaky septic tanks, flooded cellars, inflammable garages; too many safety and health hazards. The do-it-yourself jobs may be good for the character but the plumbing and wiring ought to be checked."

He sat down to a faint scattering of applause. The idea was new and new ideas always shock us a little in our town. We are still too rural to go all-out for a building code with its forms, fees and rules for inspection. But, when a town begins to suffer from a population explosion, a building code is a wise protective step.

Every big city and most large towns in the United States now have municipal building codes laying down

rules and regulations for safe construction. A municipal building code is a legal ordinance, intended to protect public safety by assuring minimum construction standards. Until recently, however, most of them have been on the wrong basis. They have tended to freeze methods and materials and so have failed to keep up with technical improvements. They have been hard to change and have often fallen under the control of politicians, materials manufacturers and building trades unions with an axe to grind.

Said a former president of the National Association of Manufacturers some years ago: "There are more than 2,000 building codes in the country — all of them obsolete and ready to junk."

The code of one large city, for example, specified that every electric fireplace must have a chimney of brick, stone or concrete — useless for safety but fine for chimney builders. A city in the lumber belt centered its code on frame construction, another city in the clay belt on bricks. Some codes specified masonry walls twelve inches thick in places where four inches, using modern materials, would give equal weather resistance. Meanwhile in many other cities officials were content to let sleeping codes lie.

Two major disasters woke up the whole nation to the hazards of obsolete codes. One was the terrible

\* Mr. Chase, free lance writer, is author of many books and articles. Some of his volumes are *The Proper Study of Mankind*, *Roads to Agreement* and *Power of Words*. Mr. Chase has held posts with the National Resources Committee, the Tennessee Valley Authority and other national commissions.

Cocoanut Grove night club fire in Boston in 1942, where 492 diners and dancers were burned or trampled to death as the tinder-dry, palm-leaf decorations exploded in flame, igniting highly combustible interior finish materials. The other was the 1946 holocaust in Atlanta at the Winecoff, a "fireproof" hotel in which 119 guests on the upper floors were trapped and killed. I can never forget one ghastly news photograph of a woman jumping from a tenth-story window.

In the wake of these tragedies came the roaring postwar demand for new houses. Clearly it was time to review the whole theory and practice of building codes and apply some fresh thinking.

#### What Is Good Code?

In this age of rapid change, many people came to feel that every good building code should have some sort of built-in modernizer so that it can be constantly revised — to allow architects and builders to keep step with improved methods and materials such as plastics, aluminum and glass. A good code should apply to all buildings — dwellings, apartments, stores, schools, hospitals, office buildings, factories — wherever a health or safety hazard may arise. And it should cover at least six points: structural protection against fire; a guarantee of building strength; adequate sanitation — plumbing, sewer connections, septic tanks; safe wiring; safe heating equipment — furnaces, heaters, stoves; and adequate ventilation.

There are two kinds of building codes and there is a whale of a dif-

ference between them — something that the man in the street as well as city fathers should firmly grasp. A specification code designates for architect or builder exactly what materials or methods are to be used — for example, the kinds of shingles allowed on a roof. A performance code tells architect and builder the desired end to be achieved — for example, a roof-covering good for twenty years. This leaves the architect free to select materials and methods to attain this end. His responsibility under the code lies in the performance of the structure over the years — a non-leaking roof, a septic tank that does not perfume the atmosphere, an oil burner which won't smoke up the neighborhood, a wall which will resist fire for a given time, foundations which stand firm.

The architect is usually given a manual which describes various approved techniques. But if he prefers some other technique, he may submit samples to the code authority for approval. The architect can thus take advantage of new methods and materials.

Following the Cocoanut Grove fire, various cities and states began to experiment with codes. Chicago made a fine start in the early 1950's with a performance code, but one provision — that each change must be approved by vote of the city council — threw up a roadblock.

I would like to tell you about the most successful experiment of all, the building code of New York State, a performance type evolved in 1949 after three years of intensive study by architects, engineers, manufacturers, unions, the National Bureau

of Standards, the American Standards Association and other authorities. This code, subsequently enlarged and strengthened, offers flexible, up-to-the-minute protection for a million and a half citizens in the 250 municipalities which have already voluntarily adopted it. Every month these figures rise. Half of all New York's cities are already in.

#### New York's Code

Here is the way it works. Let us say that your town has a code and you want to build a garage attached to your house. A garage contains gasoline and often an assortment of power tools, outboard motors, paints, thinners and miscellaneous flammables as well. Attached to a dwelling it can be a serious fire hazard. If the code is the old specification type, you will be told exactly what building materials to use and how. But if you live in New York State, your code will say only that construction between the garage and the dwelling shall have twenty minutes fire-resistance rating. You may use any approved materials which meet that performance. This gives you time to call the fire department and get out.

The New York State code puts a big premium on uniformity throughout the state and provides a field agent service to help local officials keep continually on the ball. The Building Code Commission, under Edward J. McGrew, engineer and a major general in the Reserves, is the central office for administering the code. It maintains a clearing house for technical information about all kinds of construction, and issues a

manual to assist local builders and inspectors, a manual kept current by frequent revision. Included are all the new methods which, after being suggested by builders and architects, have passed tests in accredited laboratories. (Anybody, anywhere, furthermore, may buy it at modest cost.)

While the provisions of the code are made as uniform as possible over the state, they are flexible as well, allowing local authorities to adapt the code to local conditions. For instance, the plumbing manual accepts tile pipe for drains. But some towns have many poplar trees, whose roots like nothing better than to push through the joints of tile; only solid pipe will keep them out. In such a case the town engineer has the right under the code to prohibit the use of tile.

The New York State code is purely voluntary. Any town can adopt it by vote of its local government. A public hearing is not mandatory but the commission recommends holding one to explain its workings to citizens. Home rule is carefully safeguarded. The program of inspection, the size of fees, penalties for non-compliance, are all decided locally. Most towns try to set their building inspection fees just high enough to cover the costs of inspection. The commission sends its field agents to help get the ball rolling, and they are always available thereafter for advice — but never to enforce or police the local scene.

I spent a day with one of the commissioner's field agents visiting towns in Westchester County. On the way to our first stop — let us call it

Smithville (population 11,000) — I asked Mr. X about his job. He is an engineer with experience as a builder and very keen about his work. He makes a special effort to keep in close touch with his clients. "They seem to appreciate having somebody who knows the ropes," he says, "who can tell them that other towns have had the same headache and here's a way to doctor it."

#### How It Works

In the town hall, the field agent introduced me to the town engineer and his inspector, both intelligent, college-trained men, working in a busy office full of drawing boards and blueprints. They told me that Smithville's town council voted in the code about two years ago after a public hearing. Since then they have processed more than 400 building registrations, three-quarters for private dwellings, the rest for stores, filling stations, public buildings, a private school, even several swimming pools. They showed me a series of the forms to be filled out, from the first application before a shovel is turned to the certification of the final structure. And they showed me a list of the fees.

"How do you get along with your local builders?" I asked.

"Very well, on the whole," said the town engineer. "We try to understand things from their point of view. We've had only six 'rip outs,' and three 'stop orders,' in two years."

"What does that mean?"

"A 'rip out' is where something has been built in violation of the code, maybe innocently, and has to be replaced. A 'stop order' is where a

tough hombre goes right ahead, regardless of warnings. Construction then has to stop cold until he swings into line — a job for the police. We don't like stop orders any better than the builder — in a way it's a reflection on us for not having explained the code better."

"How many inspections do you make on a given job?"

"About ten. We start with the excavation and end up with the peppermint test."

"The what?"

"We put peppermint oil in the plumbing system and if you can't smell it at strategic joints you know she's tight. We don't inspect the wiring, you know; the fire underwriters do that for us and for many towns under the state code."

They showed me blueprints of a new service station. This was why the field agent was in Smithville that day, to help reach some decisions on these plans. "Apart from this sort of help," the inspector said, "just having a representative of the Building Code Commission around increases our prestige on a local job."

That's the way it goes in the field. I talked to engineers in six towns and the only serious criticism was the inadequate allowances for inspection in their own local budgets. Cooperation by builders was pretty good, they said, and citizens seemed well satisfied. As for the commission, they got along fine.

A well administered building code has many advantages. It cuts construction costs for the long swing by sound building in the first place. It

(Continued on page 77)

# Reform Under Pressure

Shock over Hodge scandal brings limited improvement in Illinois; chance for more sweeping changes missed.

By SAMUEL K. GOVE\*

THE people of Illinois were shocked in the summer of 1956 when the activities of the state's auditor of public accounts were revealed in newspaper articles. The findings of various investigators later estimated that upwards of \$1,500,000 of public moneys had been misused. As the story unravelled, it became apparent that dishonest officials had taken advantage of serious organizational problems in the state government to bring about a "catastrophe." The people and newspapers demanded action.

First, the auditor was forced out of office and eventually ended up in prison. After a successor had been appointed by the governor with instructions "to clean up the mess," legislative reform proposals readily came forth.

Upon the convening of the General Assembly in January 1957, a reorganization report (the so-called Morey-Jenner report), completed in a remarkably short period of time, was presented to legislators. This dealt almost exclusively with fiscal reform, the charge given its authors. The governor included several of the

report's recommendations in his biennial legislative message, as did the Senate minority leader in his party's legislative platform. Many of the legislative proposals were adopted, although certain important items failed of passage.

Illinois experienced a crisis situation. It is now appropriate to review the Illinois experience to see how this situation was used to advantage in governmental improvement.

In 1952, Illinois voters elected Orville E. Hodge to the office of auditor of public accounts, one of seven executive offices filled by statewide election. All went well with his administration until a reporter for the *Chicago Daily News*, following a tip, undertook a special study of the office in 1956. At first he noted that the appropriations for the office were being spent at an alarmingly fast rate; then he found some obvious cases of "payroll padding." Finally, he came across state warrants (checks) with questionable type-written endorsements. This find was the "break-through" in the newspaper's investigation.<sup>1</sup> It opened the door to the many facets of the operations of Mr. Hodge and his associates — operations ranging from "irregular" travel vouchers to "con-

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<sup>1</sup> The details of the scandal have been well chronicled elsewhere in newspapers and magazine articles. See especially Robert M. Yoder, "Swindler in the Statehouse," *Saturday Evening Post*, May 4, 1957, and subsequent issues.



flicts of interest" on the part of key personnel.

After the stories of this scandal broke in the newspapers, Mr. Hodge resigned from office and withdrew as a candidate for reelection. (He had been renominated at the April primary.) Governor William Stratton appointed Lloyd Morey to fill out the unexpired term. Mr. Morey was president emeritus of the University of Illinois and a well known expert in governmental accounting. At approximately the same time, the Illinois Budgetary Commission, a group with both executive and legislative membership, appointed Albert Jenner, a former president of the Illinois Bar Association, its counsel in the Hodge investigation. Mr. Jenner was also named an assistant attorney general.

#### Cleanup Begun

Mr. Morey immediately undertook the task of "cleaning up the office." Many persons not devoting full time to their positions were dismissed and many procedural changes were instituted to make a recurrence of past events virtually impossible.

The Budgetary Commission brought Messrs. Morey and Jenner together by requesting them to undertake jointly a comprehensive investigation of all operations pertaining to fiscal matters in the state government. They were directed to report their recommendations for improvement of operations and procedures as soon as possible. The final report was delivered to the commission on December 4, 1956, although certain of their findings had appeared in the press previously.

In the report, the authors stated

"a fundamental defect" of the Illinois governmental structure was "the appearance that effective fiscal controls existed and were functioning. But the security was more of form than substance."

The auditor's office had many functions that went beyond those that would be assigned normally to such an office. In addition to operating both the pre- and post-audit functions for the state government, the auditor was also the state's disbursing officer and regulated the financial institutions of the state — state banks, savings and loan associations, etc. Also, the office had several other diversified functions ranging from the administration of the state's property control act to maintaining the basic land records.

This combination of somewhat dissimilar and incompatible functions helped make the Hodge operations possible. With this arrangement the auditor alone could issue a voucher, draw the warrant and post-audit the transaction without any outside review of his operations. Mr. Hodge was able to keep his operations under cover because, as the state's post-auditor, he failed to make an audit assignment for his own office. (Private accounting firms are utilized in Illinois.) Also as the regulatory agency for state banks, the auditor was able to find a Chicago banker who would cooperate in his devious operations.

Adding to the situation was the fact that the auditor of public accounts must be a person able to win an election. By necessity, virtually all occupants of the office have come from a background of political party activity. They have not been known

as experts in professional accounting, a qualification deemed desirable by many.

Reviewing the confusing and illogical organization, the authors of the Morey-Jenner report made many far-reaching recommendations that went beyond the bounds of the auditor's office itself. A reorganization of the state's fiscal procedures could hardly be restricted to the auditor's office but had to include other agencies such as the state treasurer's office and the Department of Finance.

#### **Recommendations Made**

The recommendations included the elimination of both the auditor's and treasurer's offices as elective positions and the creation of a Department of Administrative Services, a Department of Financial Institutions and a legislative auditor. The pre- and post-audit functions were to be separated with the legislative auditor becoming the post-auditor and pre-audit operations decentralized to the agency level. The disbursing function was to be assigned to the treasurer, a position to be filled by gubernatorial appointment. In addition the report called for a revision of Department of Finance operations and an overhaul of budgetary procedures.

The state's centralized purchasing requirements were to be extended to all agencies of the state government, and the auditor's property control function was to be transferred to the proposed Department of Administrative Services.

In recommendations outside the area of fiscal reorganization, the report suggested that the Personnel Code (merit system) be extended to

all agencies of the state government, that a corrupt practices act and a comprehensive "conflict of interest" statute be adopted, that a state crime investigating commission be established, and that a statute be enacted providing that public records be available for public inspection.

Using the report as a point of departure, the governor formulated his own fiscal reform program and in his second inaugural message presented it to the General Assembly. He made the same recommendations in respect to the abolition of the elective offices of auditor and treasurer and the establishment of an appointive treasurer as the disbursing officer for the state government. The pre-auditing function in the state government, however, was to be centralized in the Department of Finance rather than decentralized as recommended in the Morey-Jenner report. The governor did not mention the suggested Department of Administrative Services but did recommend a Department of Financial Institutions.

In one area, the governor directly disagreed with the Morey-Jenner report, and his subsequent defense of this position emphasized that his reform program was independent of any other. In place of the report's legislative auditor, the governor recommended establishment of a Department of Audits, headed by an auditor general appointed by the governor with Senate confirmation. This official was to have no other administrative responsibilities.

Attempts to collect group and citizen support for reorganization proposals were not substantially successful. The Taxpayers' Federation took the lead in trying to unite other

groups in espousal of a program, but with little success. Organizations declined to participate extensively in the federation's campaign because: (1) not enough time existed to convince them and secure their official endorsements; (2) some groups felt strong endorsements might affect their own legislative proposals on other matters negatively; and (3) the seemingly technical nature of the recommendations were difficult to "sell" to non-experts. In a few instances, cooperating organizations did effective work in bringing together various interested parties for workable compromises.

Although the fiscal reform program did not have well organized citizen support, the support of the state's leading newspapers was noteworthy. The papers, which had given unprecedented coverage to the developments of the Hodge case both in the investigatory and prosecuting stages, followed through with demands for legislative action. Generally, they gave strong editorial support to the Morey-Jenner proposals and criticized the governor's deviations from the report, especially in regard to the legislative auditor.

The action on the legislative reform proposals was noted by a "rush" atmosphere. It was obvious that the administration and the legislative leaders wanted to be able to show early results. Also, it appeared that they intended to push through the reform measures before the many other troublesome issues arose before the General Assembly. This "rush" emphasis contrasted sharply with the Assembly's practice — duplicated in many other state legislatures — of postponing most important decisions

until near the end of the six-month session. As the session was about to close, one reporter observed that the reform movement "started with a bang but ended with a whimper."

#### The Legislative Process

The reorganization legislation was prepared and introduced on a piecemeal basis and consequently some action taken assumed the passage of other legislation. Thus, legislation providing for revision of the state's accounting procedures assumed the office of the auditor of public accounts, which presently keeps certain centralized financial records, would be abolished. The former legislation was adopted but the latter was defeated.

Despite the "rush" atmosphere, most legislative action was not concluded until early in June. The legislature had a mixed reaction to the various proposals. The members somewhat reluctantly approved those measures that the governor pushed. Generally the prevailing feeling was to maintain the "status quo," because "we know what we have."

The reform legislation never became a partisan issue, probably because neither party wanted to be given an "obstructionist" label.

After the legislature had adjourned and the governor had acted on bills that had passed, it was apparent that a number of significant legislative measures had become law. The Department of Finance was reorganized and certain additional functions assigned to it, a Department of Financial Institutions under the governor was created, a "right to know" statute was enacted as was a limited "conflict of interest" law.

An office of auditor general with a six-year term, to be filled by the governor with Senate confirmation, was established to perform the post-audit functions. This official, who by statute must have certain professional qualifications, heads a Department of Audits and reports to both the governor and a newly established Legislative Audit Commission. This arrangement was a compromise between the governor's recommendations and the Morey-Jenner report.

The proposal to abolish the office of auditor of public accounts, which would have required a constitutional amendment, was defeated. (A similar proposal to abolish the treasurer's office was not given serious consideration in the legislature.) Although many of the functions of the auditor's office were taken away, the auditor will continue to be the disbursing officer and the pre-auditor for the state government, functions based on constitutional powers. The bond of the auditor was raised in other action from \$50,000 to \$500,000 while, independently of "reform" legislation, the auditor's salary was raised from \$16,000 to \$20,000.

The final results of the reorganization proposals found the governor wielding a controlling hand. Only those proposals that he wanted were adopted and in one case he used his item veto to negate a recommendation which did not meet his approval. In only one or two instances did the legislature fail to adopt parts of the governor's program.

Does Illinois now have better government because of the piecemeal and sometimes hasty reform measures that were adopted?

It seems quite clear that it will be virtually impossible for another Hodge scandal to occur in Illinois. The functions of pre-auditing, post-auditing and regulation of financial institutions have been assigned to separate units. No longer will there be lacking an "auditing of the auditor." In addition, the legislature will have better means of observing operations. Although not a result of legislative action, the press will undoubtedly keep a close watch on the state government because of its experiences with the Hodge scandal.

#### Improvements Needed

On the other hand, the continued maintenance of an elected constitutional office with limited functions is doubtful improvement. Although the next person elected as auditor will receive a higher salary, the work of the office will be reduced by about a third. Similarly the question can be raised whether the removal of one or two elective offices out of seven as proposed is really progress. This question has significance when it is considered that a better case can be made for the continuance of the auditor's office as an independent elective office than for other positions not seriously considered for removal from the ballot.

Some improvements grew out of the "catastrophe" situation, although these might have been more far reaching. Under our "government by compromise," however, it can be concluded that more progress was made in this hasty answer to the sudden crisis faced by Illinois government than would have been possible without such a dramatic situation.

# News in Review

City, State and Nation

Edited by H. M. Olmsted

## Manager Localities Number 1550

### 104 Places Added to List in 1957

**T**HE International City Managers' Association reports that as of January 1, 1958, the list of communities with the council-manager plan has reached 1,550. During 1957 a total of 104 cities, villages, townships, etc., and one county were added to its list of local governments having the plan; 79 of the 104 adopted the plan in 1957, 21 adopted it some time earlier without its becoming effective or coming to the attention of the ICMA; and four cities were reinstated on the list. Five cities abandoned the plan in 1957 and five others were removed from the list for other reasons.

Of 76 referenda held in 1957, 49 or 64 per cent resulted in adoption of the council-manager plan. This compares with 59 per cent in 1956, 60 per cent in 1955 and 55 per cent in 1954.

Adopting the plan in 1957 by charter, state enabling act or special act of the legislature were the following places not heretofore mentioned in the REVIEW. Their populations as given by the ICMA are included:

CORTEZ, COLORADO, (2,680); AHOSKIE, NORTH CAROLINA, (3,579); COALMONT (651), DUCKTOWN (1,008), FOREST HILLS (1,351) and LOBELVILLE (479), TENNESSEE; DONNA, TEXAS, (7,171); and CASPER, WYOMING, (23,673).

Adopting by ordinance in 1957, not heretofore mentioned herein, were: DUARTE (4,000), HUNTINGTON PARK (29,450), PLANTECO (3,804) and SANTE FE SPRINGS (20,000), CALIFORNIA.

Adopting by charter, enabling act or

special state law prior to 1957 but not heretofore mentioned were: ST. ALBANS, MAINE, (1,035), and SILSBEE, TEXAS, (3,194); by ordinance, WINFIELD, PENNSYLVANIA, (300) and MOAB, UTAH, (1,274).

Voters of NORTH MIAMI BEACH, FLORIDA, (1956 population 12,161) adopted a council-manager charter on January 7, 1915 to 336. This adoption and the one below are in addition to those reported by the ICMA.

The city council of MULBERRY, FLORIDA, (2,024) late in 1957, appointed a city manager in accordance with a new charter.

The borough of WEST PATERSON, NEW JERSEY, rejected a proposed council-manager plan by a vote of 1,602 to 386 at a referendum on December 18, 1957. The referendum was the result of a 25 per cent petition, opposed by the Republican and Democratic organizations but advocated by the Nonpartisan League for Council-Manager.

In BATTLE CREEK, MICHIGAN, the city commission, three to two, defeated a resolution to place on the April 7 ballot a proposal to revise the charter so as to provide for a city manager. The three opponents stated they were not voting against the manager plan but against submitting it before an area unification plan, proposed in a Public Administration Service report, was voted upon.

STUTTGART, ARKANSAS, defeated a council-manager proposal on December 3 by a vote of 262 to 243. The referendum had been advocated by newly elected Mayor Lloyd McCollum, but little campaigning was done either for or against the proposal.

OGDEN, UTAH, voted in 1957 to abandon the manager plan, adopted in 1951.

In two of the five cities removed from

the ICMA council-manager list in 1957, the council rescinded the manager ordinance: LEVANT, MAINE, and RIVIERA BEACH, FLORIDA. In TEHACHAPI, CALIFORNIA, and JASPER, FLORIDA, the council failed for a year or more to appoint a manager. HAMILTON LAKES, NORTH CAROLINA, was annexed to GREENSBORO.

## Charter Study Urged For New York City

In his second term inaugural address on January 1, Mayor Robert F. Wagner, of New York City, announced that he plans to ask the state legislature "to provide for the appointment of a charter revision commission and for submission to the people of a charter drafted by this commission." He mentioned various changes in the city's governmental organization in recent years, characterizing these as piecemeal reforms, and said that a broader approach toward the entire structure should be taken.

The present charter was drafted by a commission authorized by the legislature in 1934 and appointed by Mayor F. H. LaGuardia January 12, 1935. The charter was approved by the voters in November 1936 and became effective January 1, 1938.

Harold Riegelman, counsel to the Citizens Budget Commission and a former Republican candidate for mayor, also called for a charter revision commission to be authorized by the state legislature and criticized various provisions of the present charter as being outdated or ineffective. He called the arrangements for the five borough presidents unsatisfactory compromises and said that the number of votes assigned to each on the Board of Estimate no longer reflects the relative populations of the boroughs.

He assailed the city council as a great disappointment, especially in its record on the city's expense budgets as to which

it has the power to investigate and reduce but had adopted budgets totaling \$22 billion since 1939, with decreases of only \$3 million or one one-hundredth of one per cent. Three courses were suggested: that the council be eliminated, that it be elected on the basis of proportional representation as had originally been the case, or that it be chosen on a nonpartisan basis. He added, "We cannot expect very much of value from a council where one party dominates 25 to 1 — a ratio which bears no relation to the party preferences of the voters."

Laurence A. Tanzer, veteran expert on the New York charter, decried going to the legislature, pointing out that the charter provides for its amendment, or for the adoption of a new charter, by local law subject to popular vote, and that corresponding provisions are contained in the city home rule law. He said, "No necessity exists for the legislature to meddle with the charter of this city."

## Seattle League Makes Charter Proposals

The recommendations of the administrative survey of the government of Seattle, Washington, made by the firm of Booz, Allen and Hamilton under the auspices of the City Administrative Survey Committee,<sup>1</sup> have been reviewed by that committee and by the Governmental Research Committee of the Municipal League of Seattle and King County. The league's board of trustees on December 16 approved the latter committee's findings and issued a list of recommendations.

These emphasized that a new administrative office should be created, headed by a director of administration to be appointed by the mayor. He would have charge of personnel, budget-making, annual reports, analysis of departmental

<sup>1</sup> See the REVIEW, November 1957, page 525.



performance, public information, processing complaints and code research. The city council would have the power to decrease or increase any budget item so long as it would be in balance with revenues, and the mayor would have the right to veto any item in the budget ordinance.

A new position of city auditor would be created; he would be appointed by the council and would make a current audit of city finances.

The board specifically disapproved of some recommendations of the administrative survey, including: (1) appointment of a city clerk by the council; it was held that the comptroller should continue to perform the functions of a city clerk; (2) separation of the city planning office from the city planning commission and of the civil service office from the civil service commission, and placing these offices under the mayor; (3) merger of the water and light departments under a director of public utilities, duplication of efforts in billing, meter-reading, etc., to be eliminated, however; (4) abolition of the board of public works.

The board recommended three items for submission to popular vote at the March 11 election: the comptroller to be appointed by the mayor instead of being elected; the establishment of the office of city auditor under the council; and the establishment of a new administrative office under the mayor. No time schedule for other submissions was proposed.

### ***San Antonio Votes For Urban Renewal***

The people of San Antonio, Texas, voted four to one in favor of a comprehensive urban renewal program at an election on December 17. San Antonio has authority under its council-manager charter to proceed with an urban renewal program but, in order to bring such a

program under the recently passed state urban renewal act and to eliminate or minimize legal complications, it was felt that a referendum was highly desirable.

An all-out effort was made by civic leaders to inform the public of the necessity for local action. A detailed brochure and a handbill were among the media used by the city. Radio-TV spot announcements and newspaper advertising sponsored by the San Antonio Home Builders Association also played an important part in stressing the advantages and urgency of urban renewal. All three local newspapers supported the program editorially.

It is expected that an urban renewal agency operating under a commission of from five to nine members will be established in the near future. Project areas will then be designated by the city council upon recommendation of the commission. Planning work leading to the designation of project areas will begin immediately. Because of the complexity of the program, however, it will possibly be two years before physical evidence of a project is visible.

### ***Municipal Officials Emphasize Urban Needs***

Resolutions adopted at the meeting of the American Municipal Association in San Francisco last December stressed the cities' needs that are being eclipsed by satellite, rocket and scientific preoccupations, or endangered by proposed transfers of responsibility for financial aid from the federal government to the states.

Pointing out that local governments, which are closest to the people but whose programs are being jeopardized by proposals for the elimination of federal participation, have not been consulted, one resolution states:

"The AMA strongly opposes the effort of the Governors' and Presidential Advisory Committee to abandon or

weaken federal grants-in-aid programs affecting municipal governments" and urges the committee to omit this subject from its agenda.

Other resolutions advocated a vigorous effort to create and maintain a long-range urban renewal program, broadened federal responsibility in civil defense, federal payments in lieu of taxes, more emphasis on urban highways under the federal highway act, and expansion of research in the field of metropolitan problems.

### ***Redistricting Made Farce In State of Washington***

The effort to obtain a fair redistricting of the state of Washington for the purpose of electing members of the legislature in accordance with the constitutional requirement for districting "according to the number of inhabitants," received a further serious setback on December 24, 1957. On that day the State Supreme Court, by a five-to-four decision, upheld the action of the legislature in substituting its own plan for one approved by the people in "Initiative 199" in November 1956.<sup>1</sup>

The court action hinged on the interpretation of the word "amend" in a 1952 constitutional amendment giving the legislature the power, by two-thirds vote, to amend an initiative measure that had been approved by the people. It still cannot repeal an initiative until after two years. The power to amend an initiative was supposed to be for emergency use, and had been granted as a result of a financial emergency stemming from a drastic welfare initiative.

The legislative act had altered all but five of the 49 districts set up by Initiative 199; as a result some Senate districts have less than 20,000 population and several others more than 80,000, with

rural areas much overrepresented as compared to the more equitable arrangements of Initiative 199. The legislature also substituted voting precincts (of uncertain population) for the census tracts utilized as fundamental units in Initiative 199.

Attorney General John J. O'Connell asserted before the court that the legislature repealed rather than amended Initiative 199, and established districts with unequal and disproportionate numbers of inhabitants in violation of the constitution. The court majority, however, (opinion by Judge Richard Ott) held that the action of the legislature came within the meaning of "amend," and that the 1952 amendment authorized the legislature "to change the law completely, within the realm of the subject matter."

Judge Frank P. Weaver, for the minority, charged that the action of the majority "effects a drastic change in the power of the people to exercise their right of initiative." He continued, "For all practical purposes it relegates an initiative — no matter what the subject matter — to a position less than an advisory opinion of the people."

The legislature had not redistricted the state since 1901, the latest redistricting (1930) having been by initiative. Initiative 199 was sponsored chiefly by the League of Women Voters in an effort to remedy inequality and injustice. The legislative substitute was passed in the last hour in which such bills could be considered. As stated in the *Seattle Post-Intelligencer*, "Legislators anxious to protect their own empires and preserve districts in a form that would insure their reelection led the fight to overthrow the measure which had been approved by the voters."

### ***North Carolina Studies Constitution***

The legislature of North Carolina, as recommended by Governor Luther

<sup>1</sup> See "Legislators Mangle Districting Plan," the REVIEW, May 1957, page 245; see also page 56, this issue.

Hodges, has created a North Carolina Constitutional Commission, consisting of fifteen members appointed by the governor. It is directed to make a complete and thorough study of the state's constitution — called old and outmoded by Governor Hodges — and to report its conclusions and recommendations for amendment or revision to the governor and the legislature on or after December 1, 1958.

The commission is headed by Victor S. Bryant, Sr., Durham attorney, and includes the dean of the Law School of the University of North Carolina, a federal judge, a state judge, a state senator, three state representatives (one a former speaker of the House), two former congressmen, a former ambassador, an editor, the head of the State Grange, and three private attorneys — one being Chairman Bryant and another a former speaker of the House.

### **Mississippi Not to Have Constitutional Convention**

In a bitter special session of the Mississippi legislature, in November and December 1957, the proposal for a constitutional convention, desired by Governor J. P. Coleman and his supporters but opposed by Speaker Walter Sillers, was defeated.

Legislation adopted included a bill directed against the state's reputation as a "marriage mill." The law establishes a three-day waiting period, premarital blood tests and, for the first time, an age of consent.

A bill to aid industrial development was enacted, authorizing the Agricultural and Industrial Board to designate roads to plant sites for construction by the State Highway Department.

An existing requirement that county school superintendents shall have had administrative experience was eliminated and a requirement of five years of teaching experience was cut to four.

Welfare ceilings were increased somewhat for dependent children, on a declining scale, and for old-age assistance. An appropriation of \$150,000 for a student union building at Mississippi Vocational College for Negroes was approved.

EDWARD H. HOBBS  
University of Mississippi

### **Colorado Considers Reapportionment**

In Colorado a majority of Governor McNichols' Commission on Legislative Apportionment advocates the so-called federal system of representation. It would continue the election of the 35 state senators on the basis of population ratios — a method favoring the rural areas — and favors the election of representatives from 65 districts of approximately equal population — but with no district crossing a county boundary. A minority, led by Senator Herbert Roth, Denver Democrat, vigorously opposed the proposal. Senator Roth predicted that it would not obtain the necessary two-thirds vote of the legislature for submission to the people.

The commission, consisting of 46 members, would eliminate the never-observed constitutional directive for reapportionment every five years — based both on the federal census and an intermediate state census that is not made. The legislature would be supposed to reapportion at the regular session following each federal census.

### **New Hampshire Enlarges Scope of Authorities**

The 1957 New Hampshire legislature created a State Port Authority to maintain and develop ports, harbors and navigable tidal rivers, to assist shipping and industry dependent upon sea transport and to promote fishing and boating. The existing Port of Portsmouth Authority is abolished. The new agency has an unsalaried board of seven members, five of

whom are appointed by the governor and council; three of these must be from sea-coast or tidal regions. Ex officio members are the executive director of the State Planning and Development Commission and the executive secretary of the Seacoast Regional Development Association.

The legislature expanded the scope of the State Industrial Park Authority by doubling the debt limit up to which it may issue bonds, to \$2 million. This authority is designed to assist local communities in developing facilities to attract new business and industry. Dover has begun the first "industrial park," of 75 acres, and will receive \$390,000 as a long-term loan. Whitefield plans to construct a \$200,000 industrial building to remedy the loss of the town's sole industry by fire in 1954; it would be financed by a \$150,000 loan from the authority and by money raised from townspeople through a newly formed industrial foundation.

Under another new law ten or more towns are authorized to set up a District Fire Mutual Aid System as a municipal corporation to coordinate services of all member fire departments. It may acquire property, equipment, a dispatch center and communications net, use group purchasing, establish training programs and cooperate with civil defense, but cannot supersede the responsibility of the state forester in fighting forest fires.

### ***Pennsylvania Provides For Absentee Voting***

An amendment to the Pennsylvania constitution was adopted, by a vote of 1,007,465 to 286,582 at the November election, establishing absentee voting for civilians. Pennsylvania has allowed such voting only as to members of the armed services and service-disabled veterans who are hospitalized or bed-ridden. The new provision is for qualified voters who are unavoidably absent because of duties,

occupation or business or who are unable to go to the polls because of illness or physical disability.

The states without civilian absentee voting are reported to be Alabama, Louisiana, Mississippi, New Mexico and South Carolina.

### ***Intergovernmental Study In Pennsylvania***

The Pennsylvania Legislative Local Government Commission has undertaken a study of overlapping powers and functions among the various levels of state and local government. It is expected that when this study is completed legislation will be suggested to eliminate or reduce such overlapping.

### ***Newspaper Sues for New Jersey Redistricting***

The *Asbury Park Press* has brought suit in the New Jersey Superior Court to compel reapportionment of the New Jersey Assembly according to 1950 census returns. The state constitution requires the legislature to allocate the 60 Assembly seats to the 21 counties on the basis of the latest census figures, but this has not been done since the 1940 census.

The suit alleges that a reapportionment would give Monmouth County (containing Asbury Park) one more representative, and reduce the numbers for Essex and Hudson Counties by at least one each.

### ***Governor Harriman Urges Constitutional Revision***

In his annual message to the New York State legislature, Governor Averell Harriman proposed creation of a permanent Commission on Constitutional Revision, especially in view of the defeat, at the November election, of the proposition to call a constitutional convention. He said:

"Since the responsibility for proposing constitutional amendments to the people rests exclusively with the legislature (except when a convention is called) the Commission on Constitutional Revision should be entirely independent of the legislature. Otherwise, the legislature itself will be in a position to control what recommendations are made to it by the commission, and the public will not be kept advised of what changes independent experts believe should be made in the constitution.

"Accordingly, I recommend a permanent commission of five members to be appointed by the governor, with the advice and consent of the Senate, not more than three of whom shall be members of one political party. The members should serve for fixed terms.

"There are certain areas, however, in which the need for constitutional change is so imperative and so clear that the legislature should proceed at once to initiate the required changes. If this is not done, no constitutional amendments can be put into effect until 1961."

He urged that the voters of the state be given the right by petition to initiate constitutional changes for submission to the general electorate for approval. "The procedure to be adopted can and should be surrounded with safeguards so as to make sure that no one city or locality can initiate the action and so as to prevent hasty action by extending the process over a period of at least two years."

Another immediate constitutional objective is districting for the State Senate so as to be more nearly in proportion to population; the constitution specifies this but places obstacles in the path of equality, and some Senate districts now have

two and one-half times the population of others.

The governor also proposed extending home rule to all villages and to the larger towns (townships); reducing the voting age to eighteen; and statewide primaries for naming candidates for state offices, rather than party conventions, except where there is no contest.

### BUILDING CODE NEEDED

(Continued from page 65)

gives architects, engineers and builders freedom to exercise ingenuity and creativeness. Because it tends to check depreciation and raise property values, it gets enthusiastic support from bankers, real estate men, town officials, insurance people and homeowners.

A recent survey shows that although a number of states are experimenting with performance codes — notably New Jersey, North Carolina, Massachusetts, Connecticut — so far none carries the idea as far as New York has done. New York's published data are being studied in 30 states and in 25 foreign countries. The Polish government recently asked for sixteen copies of the code. "The material is desired by the governmental committee formulating the new Polish building code in its efforts to profit by American experience" — the first penetration of the Iron Curtain on this front.

By the time my town is large enough for citizens to demand a simple building code, I hope Connecticut will have profited by New York's example and experience.

**Metropolitan Government***Edited by William N. Cassella, Jr.,  
and Victor Jones*

EDITOR'S NOTE.—Beginning with the November 1957 issue of the REVIEW, developments in metropolitan areas are being covered in a new department entitled METROPOLITAN GOVERNMENT. The COUNTY AND TOWNSHIP department has been discontinued. News notes on urban counties, because of their significance in metropolitan areas, will be included in the new department. Whenever there is news of rural counties and townships it will be carried separately. Other departments in the REVIEW will continue to carry notes on metropolitan matters when appropriate.

## Arizona Cities Treat Growth Problems

### Phoenix, Tucson Extend Services, Annexations

**C**ONFRONTED by numerous problems arising from rapidly growing fringe areas, the Arizona cities of Phoenix and Tucson are stressing two programs. These are annexation and the expansion of the influence of the central city into the fringe areas through the extension of municipal water systems and, with respect to Phoenix, of the sewer system.

Ray W. Wilson, city manager of Phoenix, refers to the expansion of the influence of the city as "the Phoenix approach of handling the municipal service needs of the rapidly growing metropolitan area . . . instead of through much discussed plans for regional supergovernments, sewer or water authorities, or through a strangling ring of satellite towns."

The recently adopted long range capital improvement program of Phoenix, which will cost \$70 million, reflects in large measure the vigor of the city's annexation program since 1950, projected future annexations, plans for the extension

of the municipal water and sewer system into the fringe areas, and normal capital needs which no longer can be financed entirely from current revenues. The program is remarkable not only for its size but also for the large amount of citizen participation which went into its formation and into the campaign for its adoption. Voters endorsed the program on May 7, 1957, when they gave their approval to the sale of \$70 million in bonds, the largest bond issue ever authorized in Arizona.

Tucson, which already has acquired most of the private water companies in projected areas of annexation, is planning capital improvements which will cost \$41 million. The program is divided into immediate and long range needs, neither of which has yet been submitted to the voters. The immediate program proposes the spending of almost \$15 million. Although citizen participation has not been as extensive as in Phoenix, the program has been turned over to the tax study committee of the Chamber of Commerce for study and recommendations.

Dimensions of the problems caused by rapid fringe development are indicated by the growth of Greater Phoenix from 130,000 in 1940 to an estimated 410,000 in 1957, and of Greater Tucson from 64,000 in 1940 to 210,000 in 1957. On the basis of the rate of growth of Greater Phoenix since 1900, it is estimated that the area will be twice as large in 1967 as today. A similar growth is forecast for Greater Tucson.

Despite the relatively difficult annexation procedure set up by state law—the owners of more than 50 per cent of the real and personal property, by value, must sign annexation petitions—Phoenix and Tucson have made substantial inroads into their fringe areas since 1950.



Annexations between July 1, 1950, and July 1, 1957, have increased the area of Phoenix from 17.1 to 36.3 square miles and the population from 107,103 to 172,619. Phoenix is currently attempting to annex a twenty-square-mile area with an estimated population of 43,000.

Between January 1948 and March 1957, the area of Tucson was enlarged from 9.39 to more than 23 square miles. Tucson population has climbed from 45,454 in 1950 to approximately 103,000 at the present time. In planning the proposed program of capital improvements, Tucson officials estimated that city boundaries by 1970 will encompass 75 square miles and a population of 384,360.

#### Citizens Committee

The Phoenix capital improvement program is the handiwork of a large citizens' committee, the Phoenix Growth Committee. Authorized by the city council, the committee consisted of 464 citizens from numerous clubs and other organizations who represented a valid cross-section of the Phoenix population. The committee was divided into subcommittees on aviation, buildings and land, parks and playgrounds, streets, water and sewer, and finance. There were also subcommittees on publicity and speakers.

Materials for the studies of the subcommittees were found in a series of detailed reports supplied by the city government. Shortly after the city manager, in April 1956, proposed the development of a long range program, the city council, acting upon the manager's recommendation, authorized the employment of private consulting engineers to make detailed studies of the water, sewer and airport problems. Reports on other capital needs were prepared by the municipal staff. During consideration by the subcommittees of the engineering and staff reports, the city council and members of the administrative organization remained in the background to avoid giving the im-

pression of interfering with the work of the citizens' committees. Administrative personnel, however, stood ready to supply information or other help on request.

Preliminary recommendations of the subcommittees called for capital improvements costing \$90 million, a sum which after further study was reduced to \$70 million before the program was submitted to the city council. The council accepted the program and called for a special bond election to be held on May 7. Members of the Phoenix Growth Committee, as well as most clubs and other civic groups, joined in a campaign for a favorable vote. Daily newspapers and radio and television stations supported the program. There was no public opposition. All propositions carried by a two-to-one majority.

#### No Tax Increase

Not long after the call for the special election, the council adopted a resolution promising there would be no increases in property or sales tax rates to service and retire the bonds. The resolution also authorized the naming of a citizens' bond advisory committee of 21 members consisting of the executive committee of the Phoenix Growth Committee and about half the members of the subcommittee on finance. The council must consult the advisory committee before giving notice of the sale of any bonds under the \$70 million program. On the recommendation of the advisory committee, the city has engaged the services of Wainwright and Ramsey, Inc., municipal finance consultants, who will give advice on the preparation of prospectuses and aid in the sale of the bonds.

Unquestionably the formulation of the program as a community project, through the Phoenix Growth Committee, played a major part in its endorsement by the electorate. There is reason to believe that the "Phoenix approach" to the formation and adoption of capital improvement programs has set a precedent which will ex-

ercise a strong influence upon other cities of the state in similar situations. More basic than citizen participation, however, was the confidence of the voters in a municipal government which since 1950, through intelligent policy-making by the council and efficient, people-oriented management by the administrative establishment under a well qualified city manager, has improved and expanded municipal services and reduced the city property tax rate.

Although half of the \$70 million program is for improvement and expansion of the water system and \$14 million to improve and expand sewer facilities, the program includes other improvements: airport facilities, \$5 million; streets, \$6 million; park and recreation facilities, \$4.8 million; new municipal building, \$4.3 million; and smaller amounts for the public library, city jail and the city's share of a school-community auditorium.

#### Central Control

It is expected that the water and sewer improvements will help the annexation program by demonstrating the advantages of central control, not the least of which will be better services and lower unit costs. There will be rental fees for out-of-the-city sewer users and higher water rates than those charged Phoenix residents. This will be a constant inducement for fringe areas to join the city with the prospect of lower water rates and elimination of sewer charges after annexation.

In addition to providing better sewer service for the residents of Phoenix, the sewer program will broaden the city's sewer service area from 33 to 195 square miles. Part of this program is being carried out cooperatively by Phoenix and the city of Glendale, northwest of the central city. The two cities have agreed to share the cost of laying certain sewer lines and constructing a new sewage plant, which will serve not only Glendale but

also other communities north and west of Phoenix. Sewer bond revenues also will be used to pay the cost of constructing other trunk lines in the metropolitan area and eventually for the further enlargement of sewage plant capacity, either at the present city plant or at the new plant which will serve Glendale.

Glendale, as part of its contract with Phoenix, has agreed not to extend its boundaries beyond a given line, thus leaving a large area northwest of Phoenix open to annexation by the central city.

With the proceeds from its \$35 million water revenue bond issue, Phoenix will enlarge the service area of its water system from 72 to 147 square miles by the purchase of five private water companies with 32,000 customers in the fringe areas and provide for the development of new water sources and the expansion of filtration capacity. The program will enable Phoenix to supply fringe areas with a safe, stable water supply at a reasonable cost and with fire protection when the areas are taken into the city.

Whether the extension of city boundaries through annexations and of city influence through the expansion of municipal water and sewer systems will meet all the problems created by the growth of the fringe areas is certainly debatable. The two approaches ignore numerous problems. Neither approach in Arizona, however, requires constitutional change or the enactment of new statutes. Phoenix and Tucson are finding the two approaches highly practical means of reducing the size of their fringe areas and extending their influence into areas not yet annexed.

PAUL KELSO

University of Arizona

### Seattle Area to Vote on Metro Plan

The question of whether a metropolitan municipal corporation shall be formed

to handle the functions of sewage disposal, rapid transit and area-wide planning for Metropolitan Seattle will be decided March 11. In addition to the question of forming such a corporation, voters will also ballot on a one-year one-mill levy to provide funds for the corporation.

The proposition on formation of this metro plan, as it is called, will require approval by a majority of voters inside the city of Seattle and by a majority in the outlying area. An over-all majority of 60 per cent is required to pass the one-mill levy.

It has taken about four and a half years to bring these two propositions to the ballot. To recapitulate briefly on the background: Following studies initiated by the Municipal League of Seattle and King County, Mayor Gordon Clinton and the Board of King County Commissioners jointly appointed a citizens committee to make a study of the metropolitan problem with recommendations. The enabling act was passed by the 1957 session of the state legislature.<sup>1</sup>

Following passage of the enabling act the citizens committee was enlarged and studies began as to what functions the metro plan should embrace. James Ellis, the Seattle attorney who is largely responsible for the metro plan, continued as chairman. The committee decided the functions of sewage disposal, rapid transit and comprehensive planning only would be recommended. It was felt these were the most pressing of the six functions provided for in the enabling act, and that the other three—water supply, garbage disposal and parks—could be added later if the people or the metropolitan council, the governing body of the corporation, believed necessary.

Two suburban cities then passed resolutions calling for an election on the formation of the metropolitan municipal

corporation. The Board of King County Commissioners held hearings on the question and set March 11 for the election. At the hearings two communities at the southernmost boundary of the area to be covered by the metropolitan corporation were withdrawn at their request.

Once the date had been set officially plans were made for a public information campaign. Seattle attorney Richard Riddell, who lives outside the city, was appointed general chairman. Frank Jerome, one of Seattle's leading bankers, was appointed finance chairman, with a goal of \$50,000. Headquarters were established and a small staff hired.

While this was going on a corps of 65 speakers were being briefed at a series of morning meetings. These speakers are filling speaking engagements throughout the area to better inform the public.

Some opposition has appeared as the date for the election nears. However, it does not seem to be well organized. Part of this opposition has developed, it is evident, because some believe the metro plan would be against their interests. Some oppose the plan because of distrust of Seattle and the fear of being swallowed up by the large city. Some is due simply to misunderstanding.

Immediate success of the metro plan, provided it is approved, hinges on the passage of the one-mill levy. Failure of the levy could be serious. It would involve a costly and dangerous delay in the construction of necessary metropolitan sewer facilities. It would not, however, prevent the ultimate construction of such facilities by the metropolitan corporation.

DON BECKER

*The Argus, Seattle*

### **Charter Commission Set Up in Jackson County**

Jackson County, Missouri, which includes Kansas City, has created a charter commission to frame a new charter. The proposed charter must be submitted to

<sup>1</sup> See "Adopt Area-wide Plan," by Don Becker, the REVIEW, May 1957, page 230.

the voters of the county before December 2, 1958. Hilary A. Bush, formerly the county counsellor, is chairman and Harry M. Gambrel is vice chairman of the fourteen-member commission.

### **Westchester Government Surveyed**

The government of Westchester County, the suburban area immediately north of New York City, is being studied by an official charter and administrative code revision committee appointed by the board of supervisors. The county is governed by a special charter which provides for an elected executive. There are a number of departments administered by commissions which have considerable autonomy.

The committee will consider problems relating to the policy-making machinery of the county as well as administrative organization. Malcolm Wilson is chairman of the 25-member committee, which is expected to report its finding and recommendations by the end of 1958.

### **It's the People's Choice**

EDITOR'S NOTE.—The editorial below is reprinted from the Tampa (Florida) Tribune of December 22, 1957.

Sheriff Tom Kelly of Dade County fired an arrow into the air and it fell to earth right between his shoulder blades.

The sheriff sued to stop the new metropolitan government of Dade from transferring his law enforcement powers to a safety director, leaving Kelly functioning as nothing more than a process server.

You're absolutely right, said the Florida Supreme Court. They can't transfer part of your powers to somebody else—but they can abolish your job and transfer them *all*.

As the attorney for the State Sheriffs' Association put it: "The operation was successful but the patient died."

The patient is not quite dead. It will be necessary first for the Dade County Commission, which administers the metropolitan government, to pass a new ordinance abolishing the sheriff's job. Whether a majority of the commission will vote to do this is not yet certain.

In any case, the Supreme Court decision emphasizes the governmental revolution taking place in Miami under the 1956 constitutional amendment authorizing a metropolitan government.

It is a little shocking at first to think of a board being able by a simple vote to wipe out the tradition-draped office of sheriff. But, on second thought, why not?

Government is intended to conform to the wishes of the people, not the reverse. The sheriff serves well enough in the less populous counties where he is the principal law enforcement agency but his office is not equipped by law to meet the many police needs of a metropolitan area like Miami.

The people of Dade, long harassed by overlapping and conflicting authority between a quarreling pack of municipal and county agencies, asked the state for extraordinary power to make reforms. The state granted it, by constitutional amendment, and Dade voters then adopted a charter creating an over-all metropolitan administration. It is now in the process of building a new governmental structure by dismantling part of the old. One county agency, the budget board, was abolished outright and the Supreme Court upheld this action, too.

It is too early to tell how wisely Dade's experiment in home rule is being conducted. But it should not be denounced or obstructed simply because it discards a long-existing office or divests an officeholder of cherished authority. Local government in Florida has been forced to

dwelling in a ramshackle, cluttered house because of years of neglect and political dictation by the legislature. Strong measures will be needed to catch up with the times—and if a sheriff or budget board must go on the scrap pile, so be it. It's the people's choice.

### **Freeholders to Draft Charter for Marin County**

Marin County, in the San Francisco metropolitan area, has elected a board of freeholders to draft a charter. The fifteen-member board, which was elected in October, has one year to complete its work. Preliminary exploratory meetings have been held including a meeting with the Bureau of Public Administration at the University of California, Berkeley.

### **Citizen Committee Studies Los Angeles County Charter**

A nine-member citizen study committee appointed by the Los Angeles County

Board of Supervisors is reviewing the adequacy of the county's charter for meeting existing responsibilities. Under the chairmanship of Henry Reining of the University of Southern California, the committee is considering such basic problems as the number and method of election of the supervisors and the duties, responsibilities and relationship to the board of supervisors of the chief administrative officer.

### **Dade County to Vote On Charter Amendment**

The voters of Dade County, Florida, will vote February 11 on a county charter amendment which has an important bearing upon the future of the new metropolitan government in the Miami area. The amendment, which has been promulgated by the Dade County League of Municipalities, provides that "Neither the political autonomy nor the right of self-government or self-determination of any of the municipalities in Dade County shall be infringed upon, disturbed or interfered with, and they shall maintain their continuous right to exercise all powers whether granted by their special charters, or by special act, or by general law."

Assessment and collection of taxes and the establishment of minimum standards for the performance of municipal services and functions by the county are excepted from the reservation of autonomy provided in the amendment. Critics of the new metropolitan county government have been concerned by the "haste" with which the county commissioners have moved following the adoption of the new charter last May 21. General confidence has been expressed in the new county manager, O. W. Campbell, formerly city manager of San Diego, California.

### **Houston Annexation Upheld by Texas Court**

Annexation of 187 square miles by the city of Houston in 1956 has been upheld in the Texas courts. The Supreme Court has approved the lower court decision declaring valid a charter provision authorizing the city council to annex adjacent territory without an election. A motion for a rehearing is pending in the Supreme Court. (*Forbes et al. v. City of Houston, et al.*, 304 S.W. 2nd 542.)<sup>1</sup>

<sup>1</sup> See the REVIEW, December 1957, page 589.

**Taxation and Finance***Edited by Keith G. Willoughby*

## Neighbors Protest N. Y. Income Tax

### Residents Discriminated Against Say N.J., Conn.

**N**EW YORK State's taxation of income earned by out-of-state residents within its boundaries is under attack from officials of two neighboring states.

New Jersey and Connecticut, neither of which levies an income tax of its own, are protesting the New York tax. Both states are encountering budgetary problems and are faced with the need of finding additional revenue sources.

The New Jersey legislature, on the final day of its 1957 session, adopted a resolution criticizing the levying of the tax on New Jersey residents working in New York. It called on Congress to take steps to alter the sixteenth amendment to the constitution to forbid such taxation. The legislature objected primarily to the fact that out-of-state residents are now permitted to make almost no deductions other than the standard amounts for dependents but some critics also contended that the non-residents receive no services in return for the taxes they pay New York.

New Jersey's Governor Meyner, while expressing doubt that Congress would favor the requested constitutional change, said he would like to meet with New York officials to try to obtain for New Jersey residents the same deductions that New Yorkers have. Governor Ribicoff of Connecticut joined Meyner in calling for a conference with Governor Harriman as soon as possible, in order that the matter could be included in Harriman's message to the 1958 New York legislature.

The protests of its neighbors received little support in New York. Governor

Harriman stated that the law imposes "an equitable burden for non-residents comparable with that borne by residents with equivalent income," and George M. Bragalini, New York's commissioner of taxation and finance, announcing he would continue to enforce the law, pointed out that the levy had been upheld by the courts repeatedly since it was first enacted in 1919. Mr. Bragalini also stated his belief that people have an obligation to the state where they earn a living.

Among top state officials, only Joseph F. Carlino, leader of the Republican majority in the New York Assembly, said that non-residents were being treated unfairly. "They certainly should not be exempt from the tax but neither should there be inequities," he said, announcing that he felt the law should be reviewed.

The New York State income tax is expected to produce total revenues of about \$515.8 million this year and an estimated \$33 million of this will be paid by out-of-state residents. New York employers withhold tax payments from the salaries of non-resident employees and are responsible for filing a return and making payment to the state. In the case of self-employed non-residents, the taxpayer himself is responsible.

### ***Income Tax for Schools Recommended in Milwaukee***

The Citizens Advisory Committee of the Milwaukee Board of Education has recommended a 1 per cent city or county income tax to finance schools if the state does not provide additional aid.

Whether the tax is levied only in the city or is county-wide, it should be collected at the source of income, the committee said, but in the case of a county-wide tax the proceeds should be apportioned to the community where the



taxpayer resides. Declaring that the Milwaukee area also should receive a more equitable share of the state tax revenue, the committee favored retention of the present apportionment formulas based on public school enrollment and daily attendance averages, but called for new types of aid, increase in present payments and tapping of additional revenue sources by the state. The expanded aids, said the committee, should be shared according to the number of children of school age, including those in parochial and private schools.

### **County Collects Nearly 100% Property Taxes**

Following another successful tax sale, Nassau County, New York, collected over 99.99 per cent of its levy in 1957, the fourth consecutive year it has done so. All but \$4.85 of the combined school, town, county, supreme court and special district levy of \$158,379,490 was collected; this small sum of \$4.85 represents the tax on a very small area that the county has acquired to complete a drainage project.

The county is guarantor of all tax levies for its subsidiary districts, so rapid and complete tax collection is important. Tax sales are held annually, starting on the first Monday in November of the year in which the taxes are due. The procedure followed in the tax sales involves "flat" bids on unimproved parcels, (i.e., the property owner may redeem within two years at the face value of the lien and without paying interest) while in the case of improved land the owner must usually pay around 2 per cent of the face value of the lien for each six months period. That the system is one of the nation's finest is clear from the excellent record of collection and the lack of any need for tax anticipation borrowing since 1943.

The number of parcels sold annually has declined each year since 1952, from

4,670 then to 2,852 in 1957. The total value of the parcels auctioned annually rose from about \$270,000 to \$380,000 between 1952 and 1957, but during the same period the total tax levy more than doubled, from \$71,916,948 to nearly \$160 million.

### **U.S. Assessed Valuation Tops \$280 Billion**

The gross assessed valuation of property in the United States exceeded \$280 billion in 1956, the Bureau of the Census reports. Nearly \$8 billion of this is made up of tax-exempt properties and such partial exemptions as those granted in some states for homesteads and veterans, leaving about \$272 billion subject to taxation.

Locally assessed real estate accounts for \$203 billion of the net figure and locally assessed personal property, including intangibles such as stocks and bonds, for \$47 billion. The remaining \$22 billion is property assessed by state agencies, largely railroad and other public utility property.

Of the locally assessed property, the bureau estimates over \$113 billion is non-farm residential, about \$58 billion is commercial and industrial, \$29 billion is acreage and farm property, and \$4.7 billion is represented by vacant lots, with the remaining \$4.4 billion being accounted for by miscellaneous classifications.

The bureau is now compiling statistics on the relation of assessed valuation to market value of locally assessed property, using 1956 sales as the standard.

### **Circus Loses Winter Quarters Tax Exemption**

Ringling Brothers Barnum and Bailey Circus, which last year abandoned the Big Top for more mundane facilities, may now leave the winter quarters it has used for over 30 years.

The Sarasota County, Florida, county  
(Continued on page 94)

## Citizen Action

. . . . . Edited by Elsie S. Parker

## LWV Conducts Quiz on Courts

### Hopes to Educate N.Y. Voters on Reform Need

A VAST quiz program on the courts of New York State is being conducted by the League of Women Voters, with league members acting as quiz masters.

Reorganization of the courts in New York State is on the league's current agenda. A report by the Tweed commission (Temporary Commission on the Courts), appointed by the governor and the legislature to investigate the courts and make recommendations for their improvement, will be before the state legislature during its 1958 session.

First page of a twelve-page pamphlet, *Justice — In Your Hands*, lists a series of statements which those taking part in the quiz mark true or false: "The courts are YOUR business," "YOUR own life is affected by the courts," "We need many different courts," "Who runs the courts," "Politics is involved in court reform," and so on.

After the replies are recorded, the quizee is given the pamphlet, in which he will find explanations of the questions he has tried to answer. The league's hope is to have 100,000 voters throughout the state take the quiz and that it will educate the public on how antiquated and inefficient the courts really are.

The league believes that "certain standards must be met if we are to have an efficient, well organized court system and urges adoption of a constitutional amendment which will:

"1. *Unify and simplify* our court structure, replacing our numerous local courts of narrow authority with a limited

amount of statewide courts of broad jurisdiction.

"2. *Centralize administration* of the judicial system so that the same financial and personnel practices may be followed throughout the state.

"3. *Provide flexibility* so that cases may be transferred from one court to another without undue delay or expense to litigants and permit assignment of judges among courts so as to insure the most efficient use of judicial man power.

"4. *Provide a full-time, legally trained judiciary* in which judges shall be experienced members of the bar of the State of New York and shall not engage in the private practice of law.

"*Tell YOUR state senator and assemblyman that YOU, too, want modern justice. The Fate of Justice is in YOUR hands.*"

## Protest from Voteless Washington

EDITOR'S NOTE.—The note below is a summary of the remarks by Mrs. CLARENCE E. FISHER, chairman of Voters Service for the League of Women Voters of Washington, D. C., before the National Conference on Government's session on Comparison of Election Laws, November 20, 1957, at Cleveland.

What an anomaly it is to have been a Voters Service chairman for ten years in a voteless community! Washington is the only city in the United States where no citizen, regardless of length of residence, has the right to vote for any official, local or national, nor to express his conviction by ballot as to how much or by what means or for what purposes he shall be taxed. Washington is the tenth largest city in our country, the capital of the world's greatest democracy, and yet, although "home town" to thousands who are drafted, who pay both

federal and district income taxes, a local sales tax even on groceries and all other taxes, no one since 1871 has voted even for a member of the school board. There just are no elections in Washington.

It is no wonder, therefore, that those who move into the district hold dear their absentee voting rights no matter how many years have elapsed since they left home. They want to vote for president and vice president at least, and for the senators and representatives who really constitute their 531-member city council, deciding for them here even such questions as the length of fish that can legally be kept if caught in the Potomac River and the fee for a dog license and tag.

We of Voters Service of the League of Women Voters of the District of Columbia try to help citizens use the mail boxes for ballot boxes. We believe that a country is stronger when its citizens vote. That requires us to keep up to date on the 48 registration and election laws of our states. We try to get information on the propositions, issues and amendments to state constitutions that are before the electors and the candidates and their biographies and voting records — all to be presented in a nonpartisan way.

In 1956 we answered 11,224 inquiries. We know how much people do want to vote and how frustrated they become when prevented by law from doing so. Many state election laws have not changed with the mobility of our population.

We would like to see a model election law presented to the state legislatures and adopted with whatever local adaptations are necessary so that by 1960 voting would be possible for the twice several millions of Americans who wanted to vote somewhere for president but could not vote anywhere. These new laws still can keep elections honest. Apathy is not so much in the voter as in the state legislatures that for various reasons have retained outmoded election laws.

### **Study Minneapolis Metropolitan Area**

The Citizens League of Minneapolis and Hennepin County, in its *Citizens League News*, reports that its metropolitan government committee, under Chairman Ed Allen, is making an inventory of the 200-odd local governments in the metropolitan area. Concurrently, various committee members are studying metropolitan problems and proposed solutions in other areas of the country.

### **Seattle League Active In Planning**

"League planning activities for the year 1958 promises to be of gigantic proportions if the program set up by the chairmen of the city and county planning committees is followed," reports the Municipal League of Seattle and King County in its *Municipal News*. Eleven special project subcommittees are working on specific problems and six additional projects have been proposed for assignment to new subcommittees.

An executive committee, made up of the chairmen of the project subcommittees will "evaluate, coordinate and initiate league planning activities." This executive committee will meet monthly to explore new areas for assignment to subcommittees.

Subcommittees deal with urban renewal, traffic facilities planning, county parks, county planning guides, county planning administration, Puget Sound Bridge, joint planning, sewerage planning, air pollution control, Lake Washington Bridge and the Duwamish Industrial Development.

New subcommittees on annexation, capital improvements, future of the core area, parking, transportation terminals and public facilities (schools, fire and police stations, power stations, etc.) have been proposed.

Over half the active members of the league are serving on one of the two planning committees and both are growing rapidly, reports the *News*.

### **Should District Leaders Be Judges' Secretaries?**

The Citizens Union of New York City in a recent release commented that "The district leader as a co-tenant of the judge in the judicial chambers does not fit into the picture which the public should have of the court as an agency removed from politics."

The term "judge's secretary" is a courtesy title, says the release, the statutory title being "clerk" or "confidential clerk." The law does not specify any duties or qualifications for the office. In New York City the salary in the Supreme Court is \$11,000 to \$11,300. In practice, most of the local clerks are lawyers, although there is an occasional exception.

The present number of district leaders and county chairmen holding office as judges' clerks is eighteen, a little over one-third. Both major parties are well represented.

"Granted that some district leaders are able lawyers, and assuming that a district leader can carefully divest himself of all political coloration during the hours when he is functioning as a judge's clerk, it would seem that there remains an es-

sential incongruity between the two posts. Appearances are important."

In order to implement its conclusion, the Citizens Union will: "(1) Put more publicity behind the Citizens Union bill to require judges' clerks to be lawyers and to exclude party functionaries from the position; (2) Invite county leaders and bar associations to cooperate in getting judges to appoint lawyers and not to appoint party functionaries."

### **Evaluator Analyzes Urban Renewal Information**

The ACTION *Evaluator*, a new tool to help businessmen gather and analyze local urban renewal information affecting business climate in communities in which they operate or plan to locate, is announced by the American Council to Improve Our Neighborhoods, better known by its initials, ACTION.

On a pilot basis, business leaders in five eastern communities have arranged with ACTION for use of the *Evaluator*, announced Roy W. Johnson, vice president of the General Electric Company, who is president of ACTION.

The cities in which businessmen will conduct fact-finding studies are: Bangor, Maine; Holyoke, Somerville and Springfield, Massachusetts; and New Britain, Connecticut. Active in citizen committees in these communities are leading businessmen, chamber of commerce members and officers, and city officials.

"ACTION has prepared this instrument, a 28-page guide which is part of a kit of publications including sources of additional aid and other data on urban renewal, in response to more than 1,000 requests for information received from business leaders in the last eight months," said Mr. Johnson. "We feel business and industry, seeking solutions to the mounting problems created by tremendous growth in our changing cities will find the *Evaluator* extremely helpful to them in tackling their community rela-

### **Trading Stamps for Votes**

According to a dispatch by the Associated Press, the Junior Chamber of Commerce of North Miami Beach, Florida, gave a hundred trading stamps to all who went to the polls on January 7 to cast a ballot on the city's proposed council-manager charter, adopted incidentally by a large majority.

tions responsibilities and in coordinating the growth of their own companies with the growth of the cities."

The complete *Evaluator* kit, copy-righted, is available at \$10 per copy and ACTION will arrange with community leadership for on-the-scene assistance tailored to the needs of business leaders in undertaking local studies.

### **Council-Manager Debate**

Two members of the City Club of Portland, Oregon, John C. Beatty, Jr., and Rodney S. Davis, held a pro and con discussion on the council-manager form of government at the club's regular weekly luncheon early in January. Petitions are being circulated in that city proposing a charter amendment to provide for the council-manager plan. Mr. Beatty, co-chairman of the Committee for Effective City Government, spoke in favor of the plan; Mr. Davis, a fire fighter for the city of Portland, opposed.

### **Campaign Coffee Hour**

In Anacortes, Washington, where the voters adopted the council-manager plan on December 3, the Council-Manager Government League, as part of its charter campaign, held a series of "coffees" to acquaint local women with the facts concerning the new form of government.

### **Holds Zoning Classes**

The Women's City Club of New York held an unusual course of six lecture-discussions on new concepts of zoning and their relation to city planning in New York.

The New York City Planning Commission cooperated with the club in setting up the course and members of the commission staff were among the eight speakers. City planners, architects, engineers, lawyers and community leaders interested in planning and zoning were invited to attend the sessions, along

with members of the Women's City Club.

### **Transportation Survey**

The board of trustees of the Municipal League of Seattle and King County, Washington, has adopted a resolution "that the Municipal League recommends a comprehensive transportation survey for the Seattle metropolitan area in conjunction with the proposed Seattle Transit Commission survey and urges the Seattle City Council, the Board of King County Commissioners and the State Highway Commission to cooperate in financing the over-all survey." The function of transportation facilities is the movement of people and goods and too much emphasis has been placed on the movement of vehicles, A. William Pratt, chairman of the league subcommittee which studied the matter, told the board.

### **Recent Publications**

*A Housing and Planning Program for New Yorkers*, issued by the Citizens' Housing and Planning Council of New York (sixteen pages, free), is a concise and vivid exhibition of the past, current and future usefulness of this twenty-year-old institution and of the fact that similar groups in other big cities would find plenty to do if they could develop similar expertness.

The Urban Renewal Division of Sears, Roebuck and Co., Chicago, has published *abc's of Urban Renewal* (25 pages, illustrated). According to the foreword, signed by James C. Worthy, vice president, public relations, and a regional vice president of the National Municipal League, "As a matter of broad community relations policy, Sears, Roebuck and Co. recognizes that the company and its executives must play a significant part in aiding local efforts to solve the urban renewal problems of the many communities it serves. . . . This booklet

(Continued on page 98)

**Researcher's Digest**

. . . . . Edited by Ralph W. Conant

## Population Studies Published

### Practical Aspects, Short Term Forecasts Treated

**T**WO NEW Scripps Foundation population studies were published in 1957.

No. 13 (*Applications of Demography; The Population Situation in the United States in 1975*, published jointly by Scripps Foundation for Research in Population Problems, Miami University, Oxford, Ohio, and Population Research and Training Center, University of Chicago, \$2.10) is a collection of articles dealing with two comparatively unrelated topics. For this reason, the 96-page volume, edited by Donald J. Bogue, is divided into two parts as the dual title indicates.

*Applications of Demography* is a monograph comprising papers by a group of specialists who are interested in the practical aspects of population theory. These papers reveal that demography is widely applied but that its potential use is limited because demographers have failed to provide specialists in other fields with sufficient demographic information. The range and variety of the uses indicated is impressive. The papers list areas in which research is needed and call to the attention of teachers and practitioners of demography some of their "blind spots."

*The Population Situation in the United States in 1975* is a good illustration of the kind of service demography can perform. In recent years demographers have become progressively more appreciative of the tremendous practical value of shorter term forecasts that span only one or two decades. In the process of collectively gazing into the crystal ball,

these writers demonstrate that in addition to forecasting the size of the total population, it is possible to build up a composite picture of (1) what the regional, urban-rural and farm-non-farm distribution probably will be in a few years hence; (2) what will be the probable population composition at that time. Such short-term projections are far less risky than long-term projections, for a very high proportion of all the persons involved have already been born. The necessity for forecasting the future trend of fertility—a major factor in bringing long-range forecasting into question—has been avoided.

Armed with detailed and comprehensive information about the immediate future, businessmen, government administrators and many other persons who make regular use of population information can anticipate problems likely to arise in a few years and can plan feasible solutions.

No. 12, *Components of Population Change, 1940-50* by Mr. Bogue (publisher same as preceding, vi, 145 pages, \$3.75) gives estimates of net migration and natural increase for each standard metropolitan area and state economic area.

## Surveys Governors — 1870 to 1950

Legislative experience is becoming less and less important for governors, according to Joseph A. Schlesinger of Michigan State University.

Surveying political careers of all state governors from 1870 to 1950, he found that the proportion of governors who had state legislative experience dropped from 65 per cent in 1870 to about 41 per cent in recent years and that it appears less important in becoming governor in the west than in the east.



Distinct regional differences were found in the paths leading to the governorship. Some 30 per cent of Oregon governors had held no previous elected office. In Kentucky, Arkansas, Texas, Maryland, West Virginia, Tennessee and Missouri the tendency seems to be to select the governor from law enforcement positions such as judges, attorneys and state attorneys.

The tendency in New England states is to promote the lieutenant governor to governor, but no single office dominates the route to the governorship in most western states.

Over all, the legal profession is predominant among governors. Of the 995 men in all states elected governor in the past 80 years, 456 of them were practicing lawyers. In two states, however, Utah and Delaware, no lawyer was ever governor in the period covered by the study.

Lawyer-governors are heavily concentrated in the south and border states, but they enjoy no predominance in governorships in New England and the western mountain states.

Dr. Schlesinger's findings, *How They Became Governor*, are being published by Michigan State University's Bureau of Governmental Research.

### ***Students Check Political Attitudes of Town Residents***

A survey of political attitudes of residents of the town of Greenburgh, Westchester County, New York, *Study of Voter Attitudes in the Town of Greenburgh*, (October 1957, mimeo., 20 pages) recently made by Hunter College political science students under the direction of Arthur Koponen, revealed that 81 per cent of the qualified voters felt it was desirable and important to have both national parties represented in town government.

The study also revealed that only 15 per cent knew that all the town elective officials were Republicans; that 20 per

cent did not know the name of the town they were living in. Sixty per cent said they did not know enough about the town government to rate it excellent, good, fair or poor. Twenty per cent of persons contacted in the survey had changed their party affiliation since moving to the Westchester suburban area, 65 per cent of them away from the Democratic party. In most cases, respondents indicated that switches were due to local social pressure experienced when they moved into the Republican community.

The study was based on a sample made up of every 36th person on the voting list. A neighbor was interviewed when a prospective respondent was not at home. A total of 416 interviews were taken in the survey.

### ***Challenge of Federal State Relations***

A documentary by W. Brooke Graves, of the Legislative Reference Service, Library of Congress, *The Coming Challenge in Federal-State Relations*, (Chamber of Commerce of the United States, Washington, D. C., 1957, 65 pages) is a relatively brief statement describing the major pressures and points of attack on the federal decentralization program proposed by the so-called Kestnbaum Commission on Intergovernmental Relations in 1955. The report contains a historical sketch of federal-state relations and some of the salient factors in the centralization process. The section on recent developments is largely a description of the Kestnbaum Commission, the recently organized Joint Federal-State Action Committee of Governors and Federal Officials, and the published reports of both agencies.

Following this background data, the documentary is chiefly an expose of the methods and tactics of opposition groups.

Students of federal-state relations may find that the most valuable section of this report is the appendix. It contains

an analysis of bills introduced in the first session of the present Congress which represent new and expanding programs at the federal level.

### **Proposed N. Y.-N. J. Rail Loop Appraised**

*Metropolitan Rapid Transit Financing*, by William Miller, (Princeton, N. J., 1957, 137 pages) is one product of the metropolitan rapid transit survey sponsored jointly by the Port of New York Authority and the Metropolitan Rapid Transit Commission of New York and New Jersey. Miller's report is primarily concerned with the financial implementation of the now famous proposal to construct a bistate rail loop between New Jersey and New York utilizing subway tunnels under the Hudson River at two points in upper and lower Manhattan.

The report examines the transit needs of the New York-New Jersey metropolitan region, compares commuter rail systems in other urban areas, and weighs the pros and cons of expanding rail service in the area. Concluding that the service does in fact have a crucial role in the economic future of the region, the study recommends a special interstate metropolitan district for rapid transit and examines ways and means of financing the proposed trans-Hudson loop system.

The report appraises municipal as well as outside credit sources, discusses revenues that would be available to a bistate transit agency, analyzes the form and cost of borrowing by the proposed district, and suggests deficit apportionment among benefited communities.

### **Texas Politics In 1956 Analyzed**

Texas politics as it developed during the last presidential election year is analyzed in *Texas One-Party Politics in 1956*, by O. Douglas Weeks (Institute of Public Affairs, The University of Texas,

Austin, 1957, 60 pages). The study provides background material on the Texas Democratic and Republican parties. The main thesis of the monograph, that a two-party system or even a bifactional pattern within the Texas Democratic party is unlikely to occur, is amply substantiated in a detailed recounting of the political events and developments between 1952 and the 1956 presidential election.

### **Publish Representative Town Meeting Guide**

A valuable summary of the legal requirements of a unique variation of the traditional New England town meeting is provided in a 32-page *Guide for Establishing a Representative Town Meeting*, published by the Bureau of Government Research, University of Massachusetts (Amherst, 1957).

Since the representative town meeting was first used in Brookline, Massachusetts, in 1915, 40 towns have adopted it to avoid cumbersome public town meetings in units of 6,000 population or greater. Because a special legislative act is required for each town desiring to change its town meeting to the representative form, fully 39 different charters now exist. Although a standard form has been developed, only two towns have preferred it to a custom-made charter.

### **How to Publish A Finance Report**

Few governmental documents receive less public attention than financial reports of local governments. Yet these reports invariably contain information which most citizens can ill-afford to ignore. In the opinion of public-relations-minded municipal officers, the biggest reason for general ignorance of local fiscal matters is that financial reports are usually published exactly as they come from the accountant's desk. This covers the law in most cases, so the question

arises whether legal requirements for publishing local financial reports are adequate.

*Financial Publication Requirements for Local Governments in Colorado*, by Paul D. Starr, (Bureau of State and Community Service, University of Colorado Extension Division, Boulder, 1957) attempts to answer this important question. Included in the 28-page report is a brief discussion of the principles of financial management, recommendations for improving financial management in local governments in Colorado, and a summary of Colorado publication laws relating to local financial affairs. This pamphlet might be a useful model for similar publications in other states. Certainly the basic question posed by Mr. Starr's study bears examination in most of the states.

### **Project State Population to 1970**

In its *Illustrative Projections of Population by States, 1960, 1965 and 1970*, the Bureau of the Census reports that New York and California may be closely matched by 1970 for first place total population. The projections range from 18.5 million to 20 million for each of these states in 1970.

The report also indicates that western states will lead other regions in percentage of net population change between 1955 and 1970. This compares with a projected 27 per cent net population increase for the United States as a whole.

The report also provides similar data for all regions, geographic divisions and states. It includes four sets of projections, each based on alternative assumptions for components of population change.

### **Foundation Discusses Higher Education**

*Federal Programs in Higher Education* is a nineteen-page summary of an all-day

discussion of federal relations to higher education by the trustees of the Carnegie Foundation for the Advancement of Teaching (New York 17) at the 51st annual meeting of the foundation in the fall of 1956. This report is reprinted from the foundation's 1956-1957 *Annual Report*. It discusses the importance of federal support to higher education, forms of appropriate federal action, federal support of special fields of education (e.g., agriculture, military, science), national responsibility of leaders in higher education and the role of an informed public.

### **Michigan Township Powers, Duties Described**

*The Michigan Township Board — Its Powers and Duties*, by James and Marilyn Blawie, (Governmental Research Bureau, Michigan State University, East Lansing, 1957, 96 pages) fills a conspicuous gap in the legal literature of Michigan local government. The manual is a compilation of heretofore widely scattered laws regulating the powers and duties of township governing boards in Michigan. Unduly long sections of laws are summarized and cumbersome legal prose is simplified.

### **Subdivision Control Papers Published**

The Institute of Local Government of the University of Pittsburgh has published *Proceedings, Local Government Conference on Subdivision Control* (Pittsburgh, 1957, 82 pages, \$3.00). These are the papers of the institute's 13th Local Government Conference held May 16 and 17, 1957. Problems discussed range from the impact of modern subdivision regulations upon the middle income groups' ability to own new housing to the preservation and planting of trees in new subdivisions. An eight-page selected bibliography on land subdivision control is appended.

### **Research Committee Gets Award**

In Portland, Oregon, a City Club research committee on the Negro has been named one of three award recipients by a special committee of the Portland Area Council of the American Veteran's Committee for its outstanding contribution to community understanding. The award to the committee is for its efforts in support of racial integration and for identifying the problems in this area which the community still faces.

### **IBAM Year Book**

The Brazilian Institute of Municipal Administration has begun publishing a *Municipal Year Book* containing data and information on Brazilian municipal life and on the achievements of local governments.

The institute, known in Brazil as IBAM, also publishes the bimonthly *Municipal News Bulletin*, technical manuals for municipal employees, monographs on specific municipal problems, and translations of foreign materials on public administration.

### **Home Rule in Colorado**

The origin of home rule in the United States, legislative control over local affairs in Colorado, legal procedure for home rule under state law, and some specific advantages of home rule for

Colorado cities are described in *Municipal Home Rule in Colorado*, by Conrad L. McBride (reprinted from *Colorado Municipalities*, Boulder, 1957, fifteen pages, 35 cents).

### **Strictly Personal**

Beldon H. Schaffer has been appointed director of the Institute of Public Service at the University of Connecticut. Mr. Schaffer had previously served as a staff member and acting director of the institute. More recently he has been with the city government of West Hartford.

Dominic Del Guidice has been appointed research coordinator for the Citizens' Planning Association of Westport, Connecticut. He was formerly assistant director of the Governmental Research Institute of Hartford.

### **TAXATION AND FINANCE**

(Continued from page 85)

commission decided late in 1957 not to renew the 30-year old arrangement under which the county paid the circus an amount equal to the county taxes on the winter quarters in return for the national publicity the circus brought to the area. In the past the circus drew thousands of visitors to Sarasota every year, but with the new method of operation it may spend less than three weeks in the Florida city annually. Circus officials had announced plans to turn the winter quarters into a year-round tourist attraction rivaling southern California's Disneyland.

The unanimous vote of the county board seems to have been motivated less by a feeling that the \$6,000 involved annually could be used better elsewhere than by a conviction that, while the arrangement was a good investment for the county when it was originally made, it could no longer be justified. One member of the board declared that consistency would require the county to pay the taxes of any business in Sarasota that spent money elsewhere to advertise the county.

### **Florida's Legislature**

*Your Florida Legislature*, by William C. Havard, (Public Administration Clearing Service, University of Florida, Gainesville, 1957, 27 pages) is an informative pamphlet which discusses in concise form the structure and function of the Florida state legislature.

# Books in Review

## *Metropolitan Cities*

GREAT CITIES OF THE WORLD. Their Government, Politics and Planning. Second Edition. Edited by W. A. Robson. New York, The Macmillan Company, 1957. 814 pages. \$11.

The first edition of this admirable collection of scholarly accounts of governments of large cities was described at length in this REVIEW in two articles.<sup>1</sup> It is good news that the sales have already necessitated a second printing, enlarged by addition of chapters on Tokyo and Osaka, Johannesburg and Cologne.

The author notes that among the numerous funds now supporting research into American metropolitan area problems, no money has been dedicated as yet to the existing solutions developed in similar areas abroad.

R.S.C.

## *Freedom*

INDIVIDUAL FREEDOM AND THE COMMON DEFENSE. By Walter Millis. New York City, The Fund for the Republic, 1957. 80 pp. Free (up to ten copies).

With the recent launching of the Russian sputniks, few areas of American life have escaped the scrutiny of the press and the American public. It is therefore timely that a reevaluation of our loyalty and security system should appear at this time.

Mr. Millis faces up to the main problem inherent in the whole discussion, namely, is our security in such jeopardy as a result of subversion as to necessitate the extreme measures so popular a few years ago by congressional committees, the F.B.I., the administration and others? Mr. Millis answers this question with a resounding "no." Rather he finds a situation where legitimate fears regarding the international situation were exploited by politicians, law enforcement officials

and others, each with certain gain to be achieved from the mass hysteria fomented. Likewise Mr. Millis points out that the realities of modern warfare and modern diplomacy throw a completely different light on our traditional concepts of espionage, sedition, treason and subversion. There are situations where secrecy can be harmful rather than useful and where extreme vigilance against subversion is more destructive of our institutions than an undue lack of concern.

Mr. Millis' book will be applauded by those seriously concerned with the state of civil liberties in our nation and the effects of the "garrison state" on those liberties. However, when all is said and done, we are still left with the dilemma as to who shall best determine when and if and what kind of modifications of our liberties are necessary because of the need of coping with internal and external threats. Few can disagree with the proposition that a thorough understanding and calm reappraisal is of the utmost urgency. This book can make an important contribution to such a reappraisal of this whole area.

BERNARD KLEIN

Michigan Workmen's Compensation  
Department

## *Reapportionment*

A REPRESENTATIVE LEGISLATURE. HOW CAN IT BE ACHIEVED? HOW CAN IT BE MAINTAINED? Spokane, League of Women Voters of Washington, December 1957. 28 pp. 35 cents.

Written for the workshops of the League of Women Voters of Washington, this pamphlet covers lucidly and competently the nation-wide problem of legislative mal-apportionment entrenched behind the self-serving interests of legislators. Washington has been the scene of a dramatic example of legislative effrontery, an initiated law providing equitable districts having been demolished by

<sup>1</sup> See "The World's Great Cities," by Arch Dotson, the REVIEW, May 1956, page 218, and June 1956, page 281.

so-called amendments amounting to repeal and return to most of the evils of the preceding 1913 apportionment.<sup>1</sup>

The statement is scholarly and factual and credit is given for assistance in its preparation by three local college faculties. R.S.C.

## Additional Books and Pamphlets

### *Annexation*

RESIDENTIAL SERVICE COSTS DURHAM WATER AND SEWER DEPARTMENT. By Warren J. Wicker. Chapel Hill, University of North Carolina, Institute of Government, 1957. 29 pp. 50 cents.

REVENUES AND SERVICE COSTS FOR GENERAL FUND ACTIVITIES: A SPECIAL REPORT ON ANNEXATION FOR THE CITY OF DURHAM. Chapel Hill, University of North Carolina, Institute of Government, 1957. 29 pp. 50 cents.

### *Assessments*

PROPERTY TAX ASSESSMENTS IN THE UNITED STATES. Washington 25, D.C., U.S. Department of Commerce, Bureau of the Census, 1957. 40 pp. 50 cents.

### *Bibliography*

PUBLICATIONS OF THE INSTITUTE OF GOVERNMENT 1930-1956. Compiled by Catherine M. Maybury. Chapel Hill, University of North Carolina, Institute of Government, 1957. 33 pp.

### *Budgets*

THE GROWTH OF THE FEDERAL BUDGET. An Appraisal and Forecast. New York 5, The New York Chamber of Commerce, 1957. 27 pp.

### *Civil Service*

FRINGE BENEFITS IN WASHINGTON CITIES. By Bert A. Balmer. Seattle, University of Washington, Bureau of

Governmental Research and Services, 1957. 35 pp. \$1.50.

### *Complaint Handling*

MANUAL FOR COMPLAINT HANDLING. City of Wichita, Kansas, Research and Information Departments, 1957. 30 pp.

### *Congress*

KNOW YOUR CONGRESS. Second Session Edition, 85th Congress—1958. Washington 4, D.C., Capital Publishers, 1958. 96 pp. Illus. \$2.00.

### *Constitutions*

CONSTITUTIONAL REVISION IN TEXAS. By John E. Bebout, O. Douglas Weeks, etc. Austin, University of Texas School of Law, *Texas Law Review*, October 1957. 189 pp. \$2.00.

### *Debt*

MUNICIPAL BOND FUNDS—PROBLEMS AND POTENTIALS. By Edward B. Burr. An address before the Municipal Forum of New York May 24, 1957. New York, The Forum, 1957. 12 pp. (Apply E. A. Mintkeski, The Port of New York Authority, 111 8th Avenue, New York 11, N.Y.)

### *Education*

HANDBOOK FOR MASSACHUSETTS SCHOOL COMMITTEES. By Robert P. Bolan. Amherst, University of Massachusetts, Bureau of Government Research, 1957. 53 pp.

### *Federalism*

FEDERALISM AND REGIONALISM. A Lecture Delivered at the Rice Institute April 24, 1957. By Roscoe C. Martin. Houston 1, Texas, The Institute, 1957. 30 pp.

### *Flood Control*

THE DARK MISSOURI. By Henry C. Hart. Madison, University of Wisconsin Press, 1957. xvii, 260 pp. \$6.00.

### *Handbooks*

LEGISLATIVE HANDBOOK. For the Kentucky General Assembly. Frankfort,

<sup>1</sup> See pages 56 and 72, this issue.



Kentucky Legislative Research Commission, 1957. 83 pp.

### **Hospitals**

A PROPOSAL FOR AN ONONDAGA COMMUNITY HOSPITAL. Syracuse, New York, Bureau of Municipal Research, 1957. 32 pp.

### **Housing**

A HOUSING AND PLANNING PROGRAM FOR NEW YORKERS. New York 18, Citizens' Housing and Planning Council of New York, 1957. 27 pp. (See page 89.)

HOUSING LAW ENFORCEMENT AND RELATED PROBLEMS. New York 7, Division of Housing, Bureau of Community Development 1957. 85 pp.

### **Juvenile Delinquency**

REPORT ON AN ADMINISTRATIVE SURVEY OF VIRGINIA'S TRAINING SCHOOLS. Charlottesville, University of Virginia, Bureau of Public Administration, 1957. 42 pp.

### **Legislation**

NEW IOWA LAWS AFFECTING LOCAL GOVERNMENT '57. Iowa City, State University of Iowa, Institute of Public Affairs, in cooperation with the League of Iowa Municipalities, 1957. 39 pp.

### **Legislative Clerks**

THE OFFICES OF LEGISLATIVE CLERKS AND SECRETARIES IN THE STATES. Chicago 37, The Council of State Governments, 1957. 60 pp. \$1.50.

### **Mileage Allowances**

MILEAGE ALLOWANCES. Frankfort, Kentucky Legislative Research Commission, 1957. 26 pp.

### **Municipal Government**

MANUAL OF CITY GOVERNMENT IN MICHIGAN. (Revised Edition.) By Claude R. Tharp. Ann Arbor, University of Michigan, Institute of Public Administration, Bureau of Government, 1957. 200 pp. \$2.75.

### **Old Age**

HOMES FOR THE AGED. Frankfort, Kentucky Legislative Research Commission, 1957. 95 pp.

### **Pittsburgh**

PITTSBURGH: FORGE OF THE UNIVERSE. A Review of Pittsburgh's Matchless Two-Hundred-Year History; the Rise of Economic Democracy and Industrial Liberalism, and the Great Civic Upsurge, in Capitalism's Key City. By Frank C. Harper. New York, Comet Press Books, 1957. 320 pp. \$4.00.

### **Planning**

ADMINISTRATION MANUAL. Zoning and Planning, Broome County, New York. Binghamton, Broome County Planning Board, 1957. 47 pp.

### **Police**

ELEVENTH ANNUAL PEACE OFFICERS TRAINING SCHOOL. A Report. Lawrence, University of Kansas, Governmental Research Center, 1957. 120 pp.

### **Population**

ESTIMATES OF THE POPULATION OF STATES: JULY 1, 1950 TO 1956. Washington 25, D.C., U.S. Department of Commerce, Bureau of the Census, *Current Population Reports*, November 4, 1957. 11 pp. 10 cents.

### **Sociology**

THE CITY IN MID-CENTURY. Prospects for Human Relations in the Urban Environment. Edited by H. Warren Dunham. Detroit, Wayne State University Press, 1957. x, 198 pp. \$4.00.

### **State Government**

CONNECTICUT DIGEST OF ADMINISTRATIVE REPORTS TO THE GOVERNOR 1956-1957. Hartford, Supervisor of State Publications, State of Connecticut, 1957. 287 pp.

### Surveys

**HOUSING SURVEY PROCEDURES.** A Guide for Small Tennessee Communities. Nashville, Tennessee State Planning Commission, December 1956. 57 pp. \$1.00.

### Taxation and Finance

**DETAIL OF STATE TAX COLLECTIONS IN 1957.** Washington 25, D.C., U.S. Department of Commerce, Bureau of the Census, 1957. 30 pp. 25 cents.

**HANDBOOK OF MISSOURI STATE TAXES.** Jefferson City, Missouri Public Expenditure Survey, 1957. 52 pp. \$1.00.

**HOW THE TAXPAYERS' FEDERATION OF ILLINOIS PROTECTS YOUR INTERESTS.** A Legislative Report. Springfield, Taxpayers' Federation of Illinois, 1957. 16 pp.

**OKLAHOMA SALES TAX AND USE TAX.** Statistical Report for the Fiscal Year Ending June 30, 1957. Oklahoma City, Oklahoma Tax Commission, 1957. 35 pp. Tables.

**THE TAX BURDEN IN RELATION TO NATIONAL INCOME AND PRODUCT.** New York, Tax Foundation, 1957. 24 pp.

**TAXES.** Questions and Answers on State and Federal Taxes Levied in Wisconsin. A Tax Dictionary with Income Tax Guide. (1958 Edition.) Madison 3, Wisconsin Taxpayers Alliance, 1957. 64 pp. 50 cents.

### Traffic Safety

**SUBDIVIDING FOR TRAFFIC SAFETY.** By Harold Marks. Washington, D.C., Urban Land Institute, *Urban Land*, October, 1957. 6 pp. \$1.00.

### CITIZEN ACTION

(Continued from page 89)

explains how the resources of federal, state and municipal governments can best be utilized in carrying out local programs. It also describes the manner in

which citizens can effectively support local urban renewal programs."

The League of Women Voters of Michigan has published *Know Your State* (Michigan). The pamphlet discusses such matters as the voter and his job, the governor and state administration, the legislature, courts, state finances, local government and the state, governmental services, etc. It describes the state's constitutions of 1835, 1850 and 1908. The 88-page pamphlet may be secured from the league's office at 4612 Woodward Avenue, Detroit 1, at 50 cents per copy.

*Peoria — Guidebook of Local Government* comes from the Peoria (Illinois) League of Women Voters. Covered are the city, township, county, schools, parks, sanitary district, airport, voting and taxes. Copies of the book (32 pages) may be obtained from the office of the City Manager of Peoria at 40 cents.

Termed an "aid to better government" by the *San Antonio News*, *Citizens Handbook of Bexar County (Texas)* and *Directory of County Offices* has been published by the League of Women Voters of San Antonio. Set forth are such matters as county home rule, population and resources, structure of the county, finances, courts, education, etc. The 68-page book may be secured from the league at 25 cents plus five cents for postage.

The purpose of *School Daze* (twelve pages), a study of Louisiana schools by the League of Women Voters of that state, is "to outline the administrative and organizational structure of our public school system of education and acquaint citizens with the facts they need in order to evaluate what this state system is offering its children." Priced at 25 cents, the pamphlet is available from the league's office at 206 Bernice Street, Lafayette, Louisiana.

# Snider Edits New Rural Department

A new department on rural government in the United States will be added this year to the NATIONAL MUNICIPAL REVIEW. It will appear irregularly at intervals of three or four months.

Editor of the new department will be Professor Clyde F. Snider, chairman of



Clyde F. Snider

the Political Science Department of the University of Illinois, who is a specialist in local government of rural areas. Dr. Snider is author of two books, *American State and Local Government* and

*Local Government in Rural America*, of several monographs in the field of state and local government, and of numerous articles in legal and professional journals.

A former member of the board of editors of the *American Political Science Review*, Dr. Snider has also served various state departments and commissions in research and consulting capacities.

The new department is expected to fill an important gap left when the department of Metropolitan Government replaced the old County and Township department.

## On Trends Group

Mrs. Maurice H. Noun of Des Moines, a member of the League's Council, is one of 21 leading Iowans appointed by the governor to a Study Commission on Economic and Social Trends.

## 6 New Correspondents Named for REVIEW

Six new state correspondents chosen recently for the REVIEW are:

Judith Norvell Jamison, public administration analyst, Bureau of Governmental Research, University of California, Los Angeles;

Leo F. Redfern, a member of the faculty of the Department of Government, University of New Hampshire;



Judith N. Jamison



Leo F. Redfern



Stanley Scott



Paul J. Piccard

Stanley Scott, public administration analyst, Bureau of Public Administration, University of California, Berkeley;

Paul J. Piccard, Political Science Department, Florida State University;

Allen E. Pritchard, Jr., executive director, League of Kansas Municipalities;

Harry T. Toulmin, executive director, Dade County Research Foundation, Miami.

## Distinguished Citizen Awards Presented

For their "demonstrations of responsible citizenship," nine civic leaders received "Distinguished Citizen Awards" at the annual banquet of the National Conference on Government November 19 in Cleveland.

George H. Gallup, chairman of the League's Council, presented certificates to the following:

Jac Chambliss, attorney, Chattanooga; Bayard H. Faulkner, former mayor, Montclair, New Jersey; Thomas Graham, president, Bankers Bond Company, Louisville; Mrs. Siegel W. Judd, Grand Rapids, Michigan; Mrs. Percy Maxim Lee, national president, League of Women Voters; Robert H. Rawson, vice president, Empire Plow Company, Cleveland; Lee M. Sharrar, attorney, Humble Oil Company, Houston; and James A. Singer, attorney, St. Louis.

### Joins NML Staff For State Project

To assist in the League's project of a series of publications to inform citizens and officials about the problems of modernizing state constitutions and to



John P. Wheeler, Jr.

provide practical guides for the conduct of constitutional conventions, John P. Wheeler, Jr., assistant professor at Hollins College, Virginia, has been added to the staff.

Dr. Wheeler, who taught at Middlebury College prior to his present connection, from which he is taking an eighteen-months leave of absence, received his B.S. and M.S. degrees at Florida State

University and his Ph.D. at Syracuse University.

### *Edits Researcher's Digest*

Ralph W. Conant, staff associate, this month succeeds Thor Swanson as editor of the Researcher's Digest of the REVIEW. Dr. Swanson has returned to Washington State College, where he is assistant professor of political science, after eighteen months as National Municipal League staff fellow.

### *Cassella at Columbia*

William N. Cassella, Jr., NML senior associate, is spending half his time with the metropolitan regional study program of the Department of Law and Government at Columbia University. Dr. Cassella is senior research associate and administrative officer of the program.

### *All-America Winners*

(Continued from page 53)

Member Charles T. Silversen, Minneapolis;

Philadelphia, Pennsylvania, February 4, League President Cecil Morgan; Vancouver, Washington, February 6, Council Member Harold S. Shefelman; Yankton, South Dakota, January 16, Harry J. Krusz, Lincoln, Nebraska.

### *Childs Meets Delegates*

Delegates from charter commissions of Butler, Pottsville and Johnstown, Pennsylvania, met in Harrisburg with Richard S. Childs, chairman of the League's executive committee, to discuss the relative merits of different forms of government.

The delegates were from third-class cities which voted for home rule charter commissions after the state legislature provided alternative forms of government for the first time for this class.

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September and December 1955  
January and February 1956

An unprecedented demand has exhausted copies of the NATIONAL MUNICIPAL REVIEW for the months listed above. The League will be glad to pay 25 cents per copy for the return of these issues.

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# Tools for Achieving Better Government

Citizen groups often turn to the League for help in achieving better government in their locality. Listed below are some of the tools available to them:

## Campaign Pamphlets

|  |      |
|--|------|
| Story of the Council-Manager Plan, 36 pages (1955) .....   | .30  |
| Charts: Council-manager Form, Commission Form, Mayor-council Form<br>(17½ x 22½"), 50 cents each, set of three ..... | 1.00 |
| County Manager Plan, 24 pages (1950) .....   | .30  |
| Forms of Municipal Government—How Have They Worked?<br>20 pages (1955) .....   | .25  |
| Facts About the Council-Manager Plan, 8 pages (1956) .....   | .05  |
| City Employees and the Manager Plan, 4 pages (1957) .....  | .05  |
| Labor Unions and the Council-Manager Plan, 8 pages (1957) .....  | .05  |
| P. R. [Proportional Representation], 12 pages (1955) .....   | .05  |
| The Citizen Association—How to Organize and Run It, 64 pages (1953) .....  | .75  |
| The Citizen Association—How to Win Civic Campaigns, 64 pages<br>(1953) .....   | .75  |
| (The two pamphlets above may be purchased together for \$1.20)   |      |

## Model Laws

|  |      |
|--|------|
| Model Accrual Budget Law, 40 pages (1946) .....                      | .75  |
| Model Cash Basis Budget Law, 42 pages (1948) .....                   | .75  |
| Model City Charter, 173 pages (1941) .....                           | 1.50 |
| Model County and Municipal Bond Law, 54 pages (1953) .....           | 1.00 |
| Model County Charter, 112 pages (1956) .....                         | 1.50 |
| Model Direct Primary Election System, 48 pages (1951) .....          | 1.00 |
| Model Investment of State Funds Law, 23 pages (1954) .....           | 1.00 |
| Model Real Property Tax Collection Law, 40 pages (1954) .....        | 1.00 |
| Model State and Regional Planning Law (1955) .....                   | 1.00 |
| Model State Civil Service Law, 32 pages (1953) .....                 | .75  |
| Model State Constitution, 72 pages (1948) .....                      | 1.00 |
| Model State Medico-legal Investigative System, 39 pages (1954) ..... | .50  |
| Model Voter Registration System, 56 pages (1957) .....               | 1.00 |

## Other Pamphlets and Books

|  |      |
|--|------|
| American County—Patchwork of Boards, 24 pages (1946) .....   | .35  |
| Best Practice Under the Manager Plan, 8 pages (1956) .....   | .15  |
| Civic Victories, by Richard S. Childs, 367 pages (1952) .....  | 1.50 |
| Compilation of the 48 Direct Primary Systems, 54 pages (1957) .....  | 2.00 |
| Coroners in 1955—A Symposium of Legal Bases and Actual Practices,<br>90 pages, mimeographed (1955) .....   | 2.00 |
| Digest of County Manager Charters and Laws, 70 pages (1955) .....  | 2.00 |
| Guide for Charter Commissions, 44 pages (1957) .....   | 1.00 |
| Guide to Community Action, by Mark S. Matthews, 448 pages (1954)....   | 4.00 |
| Manager Plan Abandonments, by Arthur W. Bromage, 36 pages (1954) .....   | .50  |
| The Metropolitan Problem—Current Research, Opinion, Action, by<br>Guthrie S. Birkhead (reprinted from NATIONAL MUNICIPAL RE-<br>VIEW), 12 pages (1953) ..... | .25  |
| New Look at Home Rule, by Benjamin Baker etc. (reprinted from<br>NATIONAL MUNICIPAL REVIEW), 32 pages (1935) .....   | .50  |
| Proportional Representation—Illustrative Election, 8 pages (1951) .....  | .10  |
| Proportional Representation—Key to Democracy, by George H. Hallett,<br>Jr., 177 pages (1940) .....   | .25  |
| Save Our Cities, by Joseph E. McLean etc. (reprinted from NATIONAL<br>MUNICIPAL REVIEW), 32 pages (1954) .....   | .35  |

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